DOCUMENT RESUME

ED 148 925 UD 017 565

TITLE The Dilemma of Black Politics: A Report on Harassment of Black Elected Officials.

INSTITUTION National Association of Human Rights Workers, Kansas City, Mo.

PUB DATE 77

NOTE 280p.; Not available in hard copy due to author's restriction

AVAILABLE FROM National Association of Human Rights Workers, P.O. Box 2427, Sacramento, California 95811 (no cost)

EDRS PRICE MF-$0.83 Plus Postage. HC Not Available from EDRS.

DESCRIPTORS *Black Role; *Blacks; Government Role; *Political Influences; *Political Issues; *Political Power; *Politics; Racism

ABSTRACT

This is a report on the harassment of black elected officials. It does not address harassment of other minority elected officials, nor of women who are other than black. The report does not address the harassment of appointed public officials or of other black professionals. The report touches only minimally on other proportions of the continuum of the political process; that is, it largely excludes the aspect of voter registration, as well as candidates for office who have failed to win election and former officials no longer in office. The findings of this report are based primarily on a spot check, within a given time frame, of officials in office. The document is presented in three parts. The first consists of a series of somewhat detailed cases, followed by a series of briefer profiles that detail an array of incidents of harassment. The cases and the profiles together constitute the section on specific grievances, the evidence on which the findings are based. The second section explores some of the issues and tactics involved in the harassment, based on analysis of the evidence. The third and final part offers suggestions and recommendations. The findings suggest that much of the responsibility for the harassment lies with the Federal Government. It is concluded that whatever various agencies or organizations do to combat harassment of black elected officials, their effectiveness will depend in large measure on public acceptance or rejection of the harassment. It is urged that the black community provide a coordinated effort since they represent the primary base of support of black officials. (Author/AM)

****
* Documents acquired by ERIC include many informal unpublished *
* materials not available from other sources. ERIC makes every effort *
* to obtain the best copy available. Nevertheless, items of marginal *
* reproducibility are often encountered and this affects the quality *
* of the microfiche and hardcopy reproductions ERIC makes available *
* via the ERIC Document Reproduction Service (EDRS). EDRS is not *
* responsible for the quality of the original document. Reproductions *
* supplied by EDRS are the best that can be made from the original. *
****

ED148925

DEC 01 1977

THE DILEMMA OF BLACK POLITICS

A Report on Harassment of Black Elected Officials

U S DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

"PERMISSION TO REPRODUCE THIS MATERIAL IN MICROFICHE ONLY HAS BEEN GRANTED BY

Mary R. Warner—
National Association of
Human Rights Workers

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC) AND USERS OF THE ERIC SYSTEM."

UD017565

The author wishes to thank the respective publishers and authors for permission to quote from the following works:

Jason Berry, "The IRS Bullies The New South" and "'Intelligence' Abuses By The IRS", © 1976 or 1977 by *Nation*; Louise Brown, "Big Brotherhood At IRS" and Judith Nies, "On The Power That Corrupts". Reprinted by permission from *The Progressive*, 408 West Gorham Street, Madison, Wisconsin 53703. Copyright © 1976, The Progressive, Inc.; Stokely Carmichael and Charles V. Hamilton, *Black Power: The Politics of Liberation*, Random House, Inc., © 1967; James E. Conyers and Walter L. Wallace, *Black Elected Officials: A Study of Black Americans Holding Governmental Office*, © 1976 by Russell Sage Foundation; Reginald E. Gilliam, *Black Political Development: An Advocacy Analysis*, © 1975 by Kennikat Press Corp., Port Washington, New York; Nathan Glazer, *Affirmative Discrimination: Ethnic Inequality and Public Policy*, © 1975 by Nathan Glazer, Basic Books, Inc., Publishers, New York; Guy Gran, "Is Poverty Really Inevitable?" © 1977 by *Sojourners*, 1029 Vermont Avenue, N.W., Washington, D.C. 20005; Willard R. Johnson, "Why U.S. Firms Must Quit South Africa", copyright © 1977 by *First World*. Reprinted by permission; Nat Hentoff, "Are There Any Defenses Against a Free, Irresponsible Press?" © 1976 by *Social Policy*; Charles H. King, Jr., "Toward The Urban Future"; Coretta Scott King, *My Life With Martin Luther King, Jr.*, © 1969 by Coretta Scott King, Holt, Rinehart and Winston, Publishers. Reprinted by permission; Martin Luther King, Jr., *Where Do We Go From Here: Chaos Or Community*? Harper & Row, Publishers, Inc., © 1967; Irving Kristol, "Post-Watergate Morality: Too Good For Our Own Good?" © 1976 by The New York Times Company. Reprinted by permission; C. Eric Lincoln, *Martin Luther King, Jr.: A Profile*, Hill and Wang, © 1970; Leslie Hill Pinckney, "So Quietly", by permission of Hermione Hill Logan; Alex Poinsett, "Unity Without Uniformity", "The Fords of Memphis", Homeboy's Dixie Return Pays Off", and "1973: Year of Watergate", Carl Rowan, "Is There A Conspiracy Against Black Leaders?" Jack Slater, "Harlem Bids Farewell to Keeper of the Faith" and "Ron Dellums and The Politics of 'Niggers'", reprinted by permission of *Ebony* Magazine, copyright © 1972, 1974 or 1975 by Johnson Publishing Company, Inc.; Chuck Stone, *Black Political Power In America*, Delta Publishing Co., © 1968; William Strickland, "Watergate and The Restoration of Black Struggle", *Black World-View*, 1973 and "The Government vs. The Black Movement", *Encore*, 1976; Carl B. Stokes, *Promises Of Power: A Political Autobiography*, Simon and Schuster, © 1973.

The Dilemma of Black Politics: A Report On Harassment Of Black Elected Officials, copyright © 1977 by Mary R. Warner. All rights reserved. No part of this document may be used or reproduced in any manner whatsoever without written permission except in the case of brief quotations embodied in critical articles and reports. All inquiries should be addressed to Mary R. Warner, P. O. Box 2427, Sacramento, California 95811.

In Memory Of

Dr. Martin Luther King, Jr.

COMMITTEE ON THE STATUS OF MINORITY ELECTED OFFICIALS

NAHRW Members

Mary Warner, Chairperson
Sacramento, California

Pearlie Evans
St. Louis, Missouri

James C. Graham, Jr.
Fort Wayne, Indiana

Lary Groth
Philadelphia, Pennsylvania

James Klaber
St. Louis, Missouri

Larry Linker
Atlanta, Georgia

Richard Lobenthal
Detroit, Michigan

Beverly Mitchell
Winston-Salem,
North Carolina

Ramon Rivera
Ithaca, New York

George Williams
San Diego, California

NAHRW Past President
William Jessup

NAHRW President
Leonardo Chappelle

NAHRW President-Elect
Dolores Rozzi

Advisory Members

Archie Allen
Voter Education Project, Inc.

George L. Brown
State-wide Elected Officials

Ronald H. Brown
National Urban League

Nathaniel Colley
NAACP

Oliver Cromwell*
Joint Center for Political Studies

David Cunningham
National Black Caucus of Local Elected Officials

Theodore Freedman
Anti-Defamation League of B'Nai B'Rith

Harold R. Hayden
National Association of Black County Officials

Andrew Hernandez
Southwest Voter Registration Education Project

Norman Hill
A. Philip Randolph Institute

Richard Newhouse
National Black Legislative Clearinghouse

Barbara Lett Simmons
National Caucus of Black School Board Members

*Mr. Cromwell succeeded John Britton in this capacity midway through the study.

SOURCES OF SUPPORT

This report grew out of a study sponsored by the Committee on the Status of Minority Elected Officials of the National Association of Human Rights Workers. The study was funded in part through grants from the Third World Fund; the Peoples Temple Church of San Francisco; United Parcel Service; the Women's Division of the Board of Global Ministries, United Methodist Church; and the Brooks-Mathews Foundation. In-kind services were provided by the A. Philip Randolph Institute and the Joint Center for Political Studies.

Appreciation is expressed most especially to all the elected officials who responded to the survey and who granted personal interviews; to the representatives of various national civil rights organizations, research agencies, and associations of Black elected officials who served in an advisory capacity; and to members of the National Association of Human Rights Workers who participated in the data collection process.

Of those who played key roles in the effort, two stand out above all others: Lt. Governor George L. Brown, without whom the study would not have been undertaken, and Lt. Governor Mervyn M. Dymally, without whom it would not have been completed. Their unfailing support is gratefully acknowledged.

While the direction of the study was entirely my responsibility, as was the preparation of this report, I would be remiss not to recognize and extend my deepest thanks, in addition to those named above, to the other numerous--and therefore individually unidentified--spirits, poets, and friends who, each in their own way, provided support at critical moments.

Mary R. Warner
September 1977

RESOLUTION

WHEREAS the Committee on the Status of Minority Elected Officials has effectively demonstrated a basis in fact for the need to further investigate the issue of harassment; and

WHEREAS the findings of this investigation would be of vital importance to all citizens and to the progress of human rights and the democratic process in this country; and

WHEREAS the efforts to date of this Committee have resulted in the development of a sound and viable process for continuing the investigation and study of the issue of harassment;

NOW, THEREFORE, BE IT RESOLVED:

That the National Association of Human Rights Workers commends the Committee for its efforts and urges the continuation and expansion of its study of minority elected officials and the issue of harassment.

Approved by vote of the membership.

October 27, 1976

conspiracy · premeditated collusion
to deprive a person or persons of
their rights or privileges

THE PROCESS

The by-laws of the National Association of Human Rights Workers define the Association's purpose, in part, as being

> ...to encourage the collection, compilation and dissemination of ideas, information and research among organizations and individuals engaged in the improvement of intergroup relations;
>
> ...to facilitate the exchange of knowledge, experience and research among governmental agencies and private organizations dealing with racial, religious, ethnic and cultural relations...

Accordingly, the Association, in October of 1975, by action of the Board of Directors, created a Special Committee on the Status of Minority Elected Officials, charging the Committee with the task of examining the issue of harassment of minority elected officials.

The impetus for this action was provided by The Honorable George L. Brown, Lt. Governor of the State of Colorado, in his keynote address at the 1975 Annual Conference of the National Association of Human Rights Workers:

> I would like to propose tonight a new mission--one that no one else is working at; one that no one else probably will want to take on; one that maybe only you are equipped to handle. The new job I see for your Association is to assume the task of constant vigilance...
>
> There are many disturbing things happening in America today. I am particularly disturbed when I examine what's happening to Black and Brown political leadership, Black and Brown professionals, Black religious leaders, Black business people. And I know for certain that if Black leaders and Brown leaders are harassed and discredited to where they fall, then poor whites--and even, then, Middle America--aren't far behind.
>
> I can't tell you tonight that there is a deliberate effort to knock down certain folks, because I can't prove that. But I can tell you for a certainty that the list of the fallen Black leaders is growing, and that there are some folks in this nation who are rejoicing because of it. The vultures have moved in each time they had a chance. The disturbing thing is that the vultures have not always been all white, not always been all Southern,

> not always been all conservative. Unfortunately, the vultures haven't realized that if they get the Secretary of State of Pennsylvania, if they get the Mayor of the town of Gary, if they get the Lt. Governor of the State of Colorado, that they are next on the list...
>
> A part of this new mission of yours might be to consider how you can start a nation-wide monitoring or evaluation system that moves in when a person of leadership is harassed or their credibility otherwise attacked. Let me tell you that when that happens, that person is the least able to respond... We need to be about creating within our system of government some means, some commission, some function of a group that would move in to do the proper kind of answering to whatever the charges might be. Perhaps your Association can be the nucleus of such a group...
>
> ...I say tonight, that lest we be caught sleeping while our rights are quietly whittled away, we must be aware that our freedoms cannot be taken for granted--none of them; that they are not yet a permanent part of our lives, and probably never will be. They are precious ideas that need our constant vigilance...

Responding to the appeal of Lt. Governor Brown and to the charge from the Board of Directors, a national study of the issue of harassment was undertaken early in 1976. This document constitutes a report of findings to date. The data presented at this time are neither exhaustive nor comprehensive; the report could as well have been several times as lengthy, and certainly more detailed. Limited resources, as well as a sense of urgency, dictated setting limits in the amount of evidence compiled. Nevertheless, ample data is presented to substantiate the existence of a very real problem of critical significance.

The mechanics of collecting the data are described in the section of the report entitled "Grievances", but comments are offered here on certain features of the study process, and on what may be seen as certain limitations.

First of all, the scope of the report is restricted to harassment of Black elected officials. It does not address harassment of other minority elected officials, nor of women who are other than Black. At that, a relatively small proportion of Black women are included in the report, which in part is attributable to the fact that, according to the Joint Center for Political Studies, women constitute only 17 percent of all Black elected officials; of these, 45 percent serve at the municipal level of government and another 36 percent are education officials. It may be, too, that the chauvinism of men in some instances tempers attacks on women politicians. It is undoubtedly still the case that the sexism of white men causes them to find Black men more threatening than Black women.

The report does not speak to harassment of appointed public officials or to other Black professionals, though evidence is mounting that the entire spectrum of Black leadership is subject to becoming the target of harassment. This syndrome is perhaps epitomized by the demeaning treatment accorded Andrew Young upon his appointment as United Nations Ambassador. The attempts to discredit author Alex Haley following the publication of Roots constitute another case in point. A by-product of this research has been heightened awareness of attacks on persons who occupy any of the key leadership positions in the Black community--including appointed educators and law enforcement officials, doctors, ministers, journalists, and perhaps professional athletes and entertainers as well. This issue is one that begs for further examination and documentation.

The report touches only minimally on other portions of the continuum of the political process; that is, it largely excludes the aspect of voter registration, as well as candidates for office who have failed to win election and former officials no longer in office. The findings, in other words, are based primarily on a spot check, within a given time frame, of officials in office. Since the initial data collection, many officials contacted have gone out of office; new officials who have come into office have not been contacted. The significance of this turnover is emphasized in a statement by the Joint Center for Political Studies in their 1976 edition of the National Roster of Black Elected Officials:

> A preliminary analysis of attrition among black elected officials since 1974 shows a loss of 1413, or more than one-third of the current total of black elected officials (3979). Among those who have given reasons for not being in public office any longer, most (24 percent) were defeated. Approximately 14 percent did not seek re-election, about 11 percent resigned and almost five percent died while in office. Although this data is still being analyzed, these preliminary results are important to the question of black political participation. The gains as reported by the Joint Center since 1970 are even more impressive with the realization that in addition to the total numerical gain, at least 1413 blacks have been replaced by an equal number.

The magnitude and implications of this pattern of attrition must be kept in mind as part of the larger context for examining harassment of Black elected officials in order to give full weight to the significance of the issue.

Then, certain proclivities brought to the writing of such a report as this should be made explicit. Human rights workers are, individually, and as a profession, integrationists--in a broad sense of the term. We are committed to the value and richness of pluralism, and we believe that that pluralism must be given expression at all levels, in every facet of our society. For that to be so, integration must become characteristic of every social arena, be it education, employment, recreation, health, religion, housing, criminal justice--or politics. Exclusion from constructive participation of an entire people from any one of these arenas can only mean less than full opportunity for any American to experience the rights and privileges of citizenship. We subscribe to the truth that Martin Luther King so eloquently espoused: "Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly."

In addressing one social arena--that of politics--acknowledgement is made that each individual perceives an issue or a situation differently; that each case discussed in this report is unique; and that each will be interpreted somewhat differently by every person who considers it. But the collective weight of the evidence, from a human rights perspective, leads to the position reflected in this report.

The analysis of harassment necessarily involves the identification and criticizing of certain sources and vehicles of harassment. The criticism is made in what is hoped to be a constructive vein. The criticism is made recognizing the concern and commitment of the communications media for and to freedom of the press; it is made acknowledging the need for intelligence activity on the part of law enforcement agencies. The criticism is made recognizing that in each agency, each company, each institution--as in each individual --there is both good and bad. The intent is not to issue blanket indictments, to accuse all when the charge applies to some and praise is deserved by others. The criticism is made in the belief that, seeing certain shortcomings, it would constitute gross irresponsibility not to state those shortcomings.

Because so much emphasis is placed in this report on the communications media, it seems pertinent to state that in a classic, idealized sense, journalism, along with government service, is viewed as being among the most honorable of professions. Yet, of all institutions, the media often seems the least able to accept criticism graciously and to respond constructively. To be proven wrong in this instance would be most welcome, for as the institution least susceptible to regulation, it holds a unique power. And for the media, as for any other institution or individual, the degree of responsibility is in direct proportion to the degree of power.

Finally, some comments on the format of the report. The section identified as "Defining the Question" provides an historical context, and describes the evolution of thought that occurred in delineating more precisely just what is the dilemma of today to which the report should address itself. The section identified as "Dimensions of the Response" constitutes a summary of findings and sketches some options for the future.

The heart of the document, then, is presented in three parts. The first consists of a series of somewhat detailed cases, followed by a series of briefer profiles that recite an array of incidents of harassment. The cases and the profiles together constitute the statement of "Grievances", the evidence on which the findings are based. The second part, "Methods, Meanings and Motives", explores some of the issues and tactics involved in the harassment, based on analysis of the evidence. The third and final part offers some suggestions, some recommendations, "Toward Resolution". These considerations are directed to various audiences, recognizing that the roles, responsibilities and powers vary from group to group. It is not purported that anything in the way of ultimate prescriptions is offered here, but rather some insights that emerged out of the study process and which speak to options for action. Indeed, each reader of the report is invited to join in, making his or her own contribution to this section.

These three parts--"Grievances", "Methods, Meanings and Motives", and "Toward Resolution"--are intended to provide substance for a dialogue--in a way that makes the dialogue one of appeal, of concern, of responsibility, and of urgency to every sector of the total society. There is neither intent nor presumption that this will be the final conclusive statement on the matter of harassment. The desire is to present a document that can serve as a stimulus for action, a vehicle for change. The hope is that it might be used as an additional tool for performing the tasks left to us, that some day the Dream of Martin Luther King, Jr. might be fulfilled.

CONTENTS

THE PROCESS ix
DEFINING THE QUESTION 1
DIMENSIONS OF THE RESPONSE 10

I. GRIEVANCES

Cases 29

The Beginning 32
Ingredients of Tyranny 41
On Gentleness and Wolves 54
Unending Nightmare 66
Memorial to Medgar 94
Progress in the South 100
Plantations in the North 107
The Price of Law and Order 116

Profiles 124

United States Representatives 124
State Executives 128
State Senators and Representatives 129
Mayors 141
City and County Governing Officials 152
Law Enforcement Officials, Education Officials and Other Local Officials . . . 163

II. METHODS, MEANINGS AND MOTIVES

Racism 175
Mass Media 177
Law Enforcement 194
Intelligence Community 197
Internal Revenue Service 202
Corporate Structure 207
Federal Government 211
White Social Scientists, White Extremists and White Liberals 212
"Reverse Discrimination" 215
Black Disunity 217
Value Differences 222
Watergate 227
Religious Community 232
The South 234
Domestic Issues 235
International Issues 240
Conspiracy 244

III. TOWARD RESOLUTION

Federal Government 252
Black Elected Officials 254
Mass Media 257
Religious Community 259
Human Rights Workers and Organizations 260
The Public--White and Black 262

POSTSCRIPT 265

DEFINING THE QUESTION

The history of Blacks in America is as well a history of harassment of Blacks in America. Indeed, the harassment predates the presence of Blacks here, beginning, as it does, on the shores of Africa.

The history of harassment of Blacks in America is as well a history of Black leadership. For there is no harassment where there is no perceived threat; the threat is greatest where there is organization; organization both requires and produces leadership.*

The history of Black leadership is a history not unlike the never-ending flow of tides; like the waves of a mighty ocean which crash upon the land of injustice, then recede--under duress, without choice, but seizing the opportunity to muster strength and determination--to return again in ever greater crescendos of hopeful insistence.

A brief review of selected episodes from this tenacious cycle provides a context for considering the current harassment of Black elected officials.

There was first that long dark episode of slavery when the horrors and barbarities of daily life cultivated leaders--called insurrectionists--who were harassed with the selling of children, with dogs and whips, with rape and castration, tar and feathers, bonfires, and a rope hanging from the limb of a tree.

On the heels of the Civil War, in haste, before Blacks could develop sufficient leadership strength to assure real freedom, came the reign of Jim Crow and its legal mandate of segregation. Save working in white folks homes, Blacks were required to live their lives, to do everything, exclusively in the company of one another--everything, that is, but voting. They could not vote as a segregated block. They could not vote at all.

Efforts to counter the oppressiveness of the Black Codes were made through the Civil Rights Bill of 1866, the Reconstruction Act of 1867, the ratification of the Fourteenth Amendment granting Blacks full citizenship in 1868 and the Fifteenth Amendment granting Black men the right to vote in 1870. This period of Reconstruction, designed to remedy the consequences of slavery, providing plans and programs to make of the

---

* As the term is used here, "leadership" refers to those persons chosen by Blacks as leaders, not those so designated by whites.

Emancipation Proclamation something more than mere edicts, allowed the emergence of leaders--political leaders--who moved into the city halls and state houses throughout the South and, even, into the Capitol of the Nation. Resentment towards these developments was expressed in the rise of the Ku Klux Klan and its tactics of terrorism; the death of these developments came when--100 years ago--a President was elected by bartering the rights of Black citizens for the votes that assured his ascendancy to the highest office in the land.

In the absence of Federal protection, Black political leadership was maligned and discredited; accused of incompetency and irresponsibility; caricatured as drunks and fools; threatened, intimidated and swept out of office. By means of State House conventions that disenfranchised Blacks through the adoption of "grandfather" and "understanding" clauses, through property and poll tax requirements, and through the purging of registration rolls, Blacks were once again rendered voteless and voiceless.

In the void that prevailed for twenty eight years, beginning in 1901 when the last Black Congressman resigned, there echoed only such abominations as D. W. Griffith's "Birth of a Nation"--until finally, in 1929, a lone representative, Oscar Stanton De Priest, went to Washington. Joined briefly in 1935 by Arthur W. Mitchell, he then left his seat in 1942. Picking up the responsibility of representation was William L. Dawson in 1943, then Adam Clayton Powell in 1945. Not until 1969 was the number of Black Congressmen to surpass the maximum that had been attained during Reconstruction. And even before that benchmark was reached, the assaults had begun anew. Speaking vociferously, and, to many, often times offensively, of the injustices and unconscionable travesties perpetrated on his people, Adam Clayton Powell was ultimately silenced by his expulsion from the Congress of the United States.

But in the meantime, out of the historical cumulation of the protests of the Frederick Douglass's, the W. E. B. DuBois', the Paul Robeson's, the A. Philip Randolph's--and countless others, named and nameless--there came the leadership of a Martin Luther King, Jr. There emerged a Civil Rights Movement to eliminate the persisting system of Jim Crow, and to once again attempt to remedy the consequences of slavery.

And the leaders were harassed. Dr. King was lied about and spied upon; accused of being a Communist; given a one-year suspended sentence and placed on probation on a traffic charge; indicted on false charges of perjury in connection with his income tax returns; threatened and bombed. And finally, as was Medgar Evers, shot to death.

The leaders that chose more extreme techniques--the "radicals" and "militants"--were placed under Federal surveillance; made victims of false rumors; set against one another; engaged in gun battles with police; arrested, jailed or forced into exile. Their organizations disintegrated; their programs dissolved.

The leaders that were developed through the Poverty Programs of the Sixties were audited and investigated; charged with misuse of funds and incompetent management. The programs that challenged the status quo were "defunded" or "modified" or "transferred"; the staffs were left jobless, with new skills and no way to utilize them, with new expectations and no way to realize them.

But out of the Movement came the means for launching one more wave of Black leadership. Stressing, throughout the struggle he led, the imperative of the vote, focusing the conscience of the Nation on this urgent goal through the Selma to Montgomery March, Dr. King made what was perhaps his single greatest contribution to the cause of freedom by raising up those forces that culminated in the Voting Rights Act of 1965.

After nearly seven decades of almost total absence of elected representation, Blacks in the South once again were able to go to the polls. But still there was harassment. It came--and still comes--by way of changing polling places and changing election methods; through annexing, consolidating, and gerrymandering; through at-large elections and discriminatory reapportionment plans. It comes in the form of "discourteous and hostile registrars", of "inconvenient registration office locations, burdensome registration forms, inadequate registration hours, polling places in hostile 'all-white' locations, election irregularities, abuse of absentee ballots, and miscounting of the ballots of minority candidates." It comes in the form of threatened economic reprisal, of fear of "loss of jobs and income, eviction, refusal of credit, loan foreclosures, and denial of social security, welfare payments, and food stamps."[1]

But in spite of these sometimes overwhelming obstacles--and spurred by the energy generated through the rhetoric, symbols and visions of Black Power--a new elected leadership emerged in ever increasing numbers. In 1964, 280 Blacks were elected to public office. In 1967, when the National Conference of Black Elected Officials was organized, there were 600 Blacks in public office. In 1970, there were still less than 1500 Black elected officials nation-wide, but by 1975 there were 3,500 and in 1976 the figure increased to nearly 4000. Though representing still less than one percent of the 522,000 elected officials in this country, they constitute a voice in every State with a sizeable Black population, at

18

every level of government, be it school boards, courts, city and county jurisdictions, state houses, or the Congress of the United States.[2]

And in faithful keeping with the tidal rhythm, the new wave of power and influence of Black leadership meets with unswerving barriers that would dissipate its strength.

The never-ending theme, through one episode of history after another, is the tension between Black and white: the dominance and oppression imposed by whites; the resistance of Blacks; the counter resistance of whites to the resistance of Blacks.

Today, the insights, strategies and transformations spawned by the Civil Rights Movement and the Black Power Movement are expressed most markedly through the political system. The arena of politics has become the spearhead of the resistance, the instrument for challenging "the existing systems of the dominant, oppressive group--the entire spectrum of values, beliefs, traditions and institutions."[3]

The lessons of history might have led to the expectation that those Black politicians who engage in the politics of resistance--the "politics of liberation"--would become the symbols of the resistance to white domination, and therefore the targets of counter-resistance.

This study did not, in all candor, begin from that premise, with such clarity of logic. Rather, the process of examining the issue of harassment of Black elected officials was as much a process of defining the question as it was a process of obtaining an answer. With reports of a few scattered attacks on highly visible Black officials, the study began with the objective of simply examining what those attacks might mean--if anything. It began by merely asking, "Is there substantial harassment?"

With impetus provided by Carl Rowan, who in the January 1976 issue of Ebony raised the question, "Is there a conspiracy against Black leaders?", the examination evolved to asking if there were a pattern of elected officials being harassed because they were Black.

In the course of examining this question, it became obvious that not all elected officials who were Black were being harassed, and then the question became why some were and others were not.

Eventually, attention was turned--by the sheer weight of the data--to those Black elected officials who were most strident and most consistent in acting out in the political arena the philosophy of change of the 1960's. That was when the phrase

"Black politics" began acquiring concrete meaning and registered as the essence of the issue of harassment.

There is a distinct difference between "Black politics" and "Blacks in politics." Black politics, as with any institution, transcends the collective individuals of whom it is made up. By the institution of Black politics is meant that newly established, still emerging body-politic that is committed to precluding the fulfillment of racist national and international policy.[4] Not all Black politicians are representative of the institution of Black politics. Some adhere to traditional white politics. Some engage strictly in politics of protest, or in individual "brokerage" politics. But others are engaged in making fundamental alterations in power relationships and, concurrently, in the distribution of economic resources. It is the latter individual politicians who represent the institution of Black politics and it is these individuals who are most prone to be harassed. The harassment is not only of them as individuals, but as symbols of the institution of Black politics. It is, in the final analysis, Black politics that is under attack.

Over and over again, the dominant characteristic of those who are assailed is their commitment to human rights and their stands on civil rights. Indeed, many of them are activists from the days of the Civil Rights Movement. That is not to say that Black politics is equatable with the Civil Rights Movement. But there is assuredly a continuity. The Civil Rights Movement is part of the heritage of the new Black politics. (As are the Black church, and the Black awareness, Black power, and Black nationalist "movements".) But the new Black politics is even more threatening in that it assails not only ignorance and prejudice and discrimination; it shakes the very foundations of the world order--a foundation whose corner stones are racism and white economic dominance.

That is not to say that all harassment is consciously directed toward destroying "the institution of Black politics." Quite the contrary. Before Black politics shakes the world order, it shakes the hometown.

It must be acknowledged that harassment is sometimes directed at individuals simply because they are Black. Harassment is more often directed at individuals because they are challenging the established way of doing things in a particular community. Harassment is invariably directed at individuals who espouse an unpopular position. Harassment is almost inevitably directed at individuals who will not take orders from the persons or corporations who have always given the orders. The effect of the harassment--whatever the impetus: conscious or unconscious racism, or protection of power and economic interests--is to jeopardize the objectives of Black politics.

Recognizing that there are those who will move swiftly to refute the assertion that Black officials are singled out for attack, an issue that clouds the question is appropriately addressed at this juncture.

By some perplexing twist of fate, the two countervailing forces of rising Black political strength and the barriers of harassment coincide with one of those historic convulsions by which our government periodically is seized.

Since Watergate, this nation has exploded in a new level of consciousness and indignation at the revelations of corruption in our governmental system. The explosion is sometimes characterized by a thoughtful, reasoned approach to exposure and remedy; sometimes by a cynical resignation that presumes wrongdoing in every public servant; sometimes by a merciless hounding of targeted individuals; sometimes by a haunting longing that America might be in reality the nation idealized in the cherished documents of the Founding Fathers.

Few would argue that the emergence of the awareness and the indignation is in many respects healthy. But, as with any strong national public sentiment, it poses the hazard of excess. At such a time, in such a circumstance, an appeal for caution is not a popular position to take; it is a voice not easily heard above the din of clamoring for confession and reform.

But something stronger than mere caution must be invoked when America appears to have suddenly become color-blind. Black elected officials are included by many in the generalized assumption of corruption, right along with white officials. The implication that Blacks are finally being given equal status is not acceptable at face value. It is too sudden and too radical a shift in America's policies and practices; it gives rise to suspicion.

That is not to say that Black officials are not capable of being corrupt. There are undoubtedly some Black officials who are corrupt. Where such corruption does exist, no excuse is offered. But it follows from the historical episodes recited that Black officials cannot legitimately be charged with the same failure, the same irresponsibility, as can white officials. Yet, they are being attacked.

Persons elected to office are inevitably pressured, by those who have a vested interest in maintaining the system as it exists, to play by the old rules. This is true for both Black and white officials. The prevailing attacks under the rubric of eradicating corruption do not generally encompass those white officials who resist the old rules; they do encompass Black officials who resist the old rules.

Black elected officials are attacked for refusing to play by the rules--and they are attacked on the presumption and allegation that they are playing by the rules. The excuse of Watergate cannot cut both ways. In fact, Watergate creates an aberration. It acts as a smokescreen. It has imposed cataracts on the true issue. And the cataract is in itself a serious problem in that it has become a tool for attacking Black politics under the guise of abolishing corruption; it has served as a vehicle for imposing more firmly the values of a white racist society that deny and militate against fulfilling the needs of Black America.

The flood of indignation that has swept over the country has once again laid bare the vein of racism that winds through the core of American society. The very movement to eradicate corruption in government contains within it its own corruption, for it is a movement that uses its momentum as a means to perpetuate discrimination against Blacks. Racism is as deep and pervasive a corruption as any ever known in the history of this nation. Yet, no public outrage is heard; no concerted insistent action is formulated; no stance of intolerance is taken against this form of corruption.

This issue--the corruption that comes in the form of racism and that unjustly attacks Black officials--is equally as great a threat to American freedom as is the corruption symbolized by Watergate, and is, therefore, equally deserving and demanding of a hearing.

The potential demise of Black politics is no idle contemplation. It is a prospect that has been considered by a number of individuals.

> Several scholars have proposed that since World War II the United States has experienced a "Second Reconstruction" with reference to the direction and amount of government intervention in Black-White relations. Although this analogy carries positive implications with respect to the accomplishments of Reconstruction, the speed with which these accomplishments were swept away is an ill omen indeed.
>
> ... The "Second Reconstruction" analogy clearly requires us to examine the likelihood of a second...White supremacist restoration. How likely is it that the Black community's political gains since World War II will become more deeply and broadly extended rather than overthrown? The importance of Blacks elected to government in the United States must finally be assessed in light of this question.[5]

The consequences, should a repeat of post-Reconstruction occur, can hardly be fathomed. The imperative of Black politics--not only for the welfare of Blacks, but for whites as well--has been stated thusly:

> The "time" has arrived for a total black politics. The time will not be trouble-free. "Traditional" politics are...splintering and decaying. Relatively few blacks are involved in that decay. On the other hand, for all of the black internal problems, blacks are one of the last remaining potential areas for a large coherent force. Long-time detriments for blacks may provide roots of future benefit. Blacks, due to a discriminatory economic situation, are not yet locked into grotesque consumption; they are locked out of the suburban quest and yet they are strategically located at the veritable hub of United States commerce. There is in all of this great political potential. There is potential for the rebuilding of urban life, potential for the application of new concepts in urban life (energy saving, free mass transit, and a revitalization of inner city, accessible commercial establishments) that would excite any "environmentalist," and there is potential for the tremendous increase of more viable and responsible government, and potential for the implementation of a true "new politics." In terms of the exercise of power there is the potential for blacks to be focally instrumental in reordering national priority in a way beneficial not only to blacks but to the entire populace. There is even potential for the advocate of true integration, as real political, economic and social equitable status might be sought via functional black politics.
>
> On the other hand, the lesson of Watergate indicates that many political interests would not want those potentials ever realized. For both the potential of political renewal and the protection against political obliteration black political development must be the priority concern of black people in the United States in the next critical years.[6]

It ought to be not just the priority concern of Black people, but of the entire nation. The question is whether the priority concern will be Black political development--or Black political annihilation.

Assessing the prospective answer to that question requires formulating lesser questions. They embrace these considerations:

- What is the magnitude of the attack on Black politics?
- What are the methods and character of attack?
- Is the attack haphazard or concerted?
- To what degree is the attack effective?
- What enables the attack to be carried out?
- What means are there for combating the attack?

The question, finally, is the future of Black politics. Can it--will it continue to be the spearhead of the struggle for liberation? Or will it instead be blunted and contained as have been past waves of Black leadership? That is the dilemma of Black politics. That is the question to which this report attempts to speak.

1/ Testimony of John Lewis, former Executive Director, Voter Education Project, Inc., before the Civil and Constitutional Rights Subcommittee of the House Committee on the Judiciary, March 3, 1975.

2/ Joint Center for Political Studies.

3/ Stokely Carmichael and Charles V. Hamilton, Black Power: The Politics of Liberation (Vintage Books: New York), 1967.

4/ For further discussion of the "new black politics," from which this definition is drawn, see Black Political Development: An Advocacy Analysis by Reginald E. Gilliam, Jr., Kennikat Press, Port Washington, N. Y., 1975.

5/ James E. Conyers and Walter L. Wallace, Black Elected Officials: A Study of Americans Holding Governmental Office (Russell Sage Foundation: New York, N. Y.), 1976.

6/ Gilliam, op.cit.

DIMENSIONS OF THE RESPONSE

As has been noted in "Defining the Question," this study began with reports of scattered incidents of harassment of Black elected officials. It started out asking if there were a pattern of harassment. For a time, there was doubt of sufficient evidence to make a case for patterns; entertainment of the question of conspiracy was totally declined. But as the volume of known cases mounted, as the issues they raised were delved into more deeply, a radical shift in thinking occurred.

The conclusion is that there is substantial harassment. There are patterns. There is conspiracy.

While the attacks on Black elected officials intensified during the Nixon era, these attacks have not been limited to the period of Watergate. The harassment predates Watergate and it continues today. Nor are the attacks of today merely a by-product of the public zeal to expose and eliminate Watergate-type corruption in government.

The claim of color-blindness--that Black officials are evaluated and treated equally with white officials--is a lie. Color-blindness is the veneer behind which harassment is made credible in the eyes of the system and the public. In fact, in nearly every respect, Black officials are judged by a double standard. They are required to be more scrupulous, more above reproach, more competent, more effective than their white counterparts. Above all, they are expected to "stay in their place."

The harassment is in part an extension of the historical discrimination against Black people. It is in part an extension of the attacks instigated by the intelligence community in the Sixties against civil rights workers, against poverty programs, against Black power advocates. It is in part a continuation of the program designed and developed by the Nixon administration to eliminate Black activists. But, as many officials contacted in the study process suggested, the harassment has also taken on a distinctly new character. It differs from previous harassment of Blacks in that it is in response to a new and larger threat--the threat embodied in the rise of a new Black politics--a politics that introduces a new element in Black-white relations in that it makes the status of Blacks in America no longer only a domestic affair, but an overtly international affair, as well, with world-wide implications. That such a development would incite desperate reprisals was foretold in a manner by the massive hostility and criticism that met the sojourn of Martin Luther King, Jr. into the issue of the Vietnam War. The harassment of today is in response to the new threat posed to the status quo by the real and potential acquisition of political power on the part of Blacks who are committed to fundamental and global social and economic change. Dimensions of the resistance to Black political development are summarized here, and discussed further in the section entitled, "Methods, Meanings and Motives."

The Magnitude of Harassment

The harassment of Black elected officials occurs at all levels of government, from the local board of education to the House of Representatives. It is found throughout the country, North and South, East and West. It occurs in small towns and major urban areas, in integrated districts as well as predominantly Black jurisdictions. It has touched over half of the 16 members of the Congressional Black Caucus; three of four Black State Executives; dozens of Black State Legislators; at least 20 Black Mayors; and unknown numbers of other local officials.

But the magnitude of the harassment cannot be measured solely in terms of numbers of cases. It must be considered substantial as well in terms of the impact, in terms of the particular individuals targeted for attack, and in terms of the reasons they are so targeted. The higher the level of office, or the more outspoken the officials, or the greater the influence and power--the higher the incidence of harassment. The magnitude can be measured according to the degree of threat.

It must be emphasized that "threat" is relative; it is in the eyes of the beholder; it is a matter of perception; it is in proportion to someone's vested interest. Thus, to the business community, a Black Mayor committed to affirmative action in employment and contracts may be a threat. To a major newspaper, a Black Lieutenant Governor who is but a breath away from the office of the governor may be a threat. To southern land owners, a Black tax assessor who can initiate reassessment may be a threat.

All of these situations are likely to incite a common response: resistance to the intrusion of Blacks on the prerogative of white values, white power, and white control. Measured in those terms, the significance is far greater than just that of sheer numbers. It is significant, for example, that the Black official considered to be the most powerful or influential in a particular state has in many instances been the target of harassment, and the effectiveness of these particular officials has unquestionably been diminished, if not totally destroyed. This is the case, for example, in Alabama, California, Colorado, Georgia, and Pennsylvania. Adding to the significance is the fact that these same officials--along with mayors of cities whose credibility has been attacked--also happen frequently to be nationally recognized voices of Black politics. Among these must be counted George Brown, Mervyn Dymally, Richard Hatcher, Maynard Jackson, DeLores Tucker and Coleman Young. Of the 100 persons identified by Ebony Magazine in 1976 as the "most influential Black Americans," at least thirty are elected officials. Of these, over sixty percent have been subjected to some degree of harassment.

Methods of Harassment

The methods of harassment are as diverse as the circumstances that pose a threat. But the nature of the attacks, upon review of the various cases of harassment, loses its appearance of randomness and takes on distinct features of patterns --even predictability. Elements of the same categories and similar techniques appear repeatedly. The methods include:

- Investigation, biased reporting, the printing of false accusations, and lack of positive coverage by the white communications media;
- Harassment of family members, releasing of false information, professional insubordination, and surveillance by police officers;
- Wiretapping, bugging, burglaries, infiltration, surveillance, leaking of information, covert disruptive activity--and exclusion of Blacks from access to information--by the FBI, CIA, Army Intelligence and other intelligence agencies;
- Civil and criminal tax audits by the Internal Revenue Service and indictments by the Department of Justice;
- Filing of complaints with District Attorneys and Attorneys General on charges of misuse of public funds, abuse of campaign laws, bribery, and fraud;
- Grand Jury investigations and leaking of information;
- Criminal indictments;
- Corporation support of harassment through lobbies, threats, economic reprisal, and advertisements that implicitly condone media attacks;

- Business community intervention through bribes, initiation of recall efforts, use of influence to convene Grand Juries, and economic threats against constituents;
- Charges by white legislative officials of impropriety or criminality in the performance of duties;
- Cutting of budgets so that office operations cannot be sustained;
- Recall efforts, gerrymandering, and annexation;
- Phone calls and letters threatening injury or death to the official or family members;
- Firing of gunshots into homes;
- Rumors alleging sexual infidelity, dishonesty and corruption;
- Threats to constituents of personal harm or economic hardship;
- Harassment of election workers and tampering with ballots;
- Creating dissension in the Black community, in a "divide and conquer" fashion;
- Causing failure of an official's business firm;
- Delaying or withholding of State or Federal funding for municipal services;
- Challenging affirmative action programs and suing on grounds of "reverse discrimination."

This list constitutes some of the known tactics. There are undoubtedly others. But even when the tactics are recognized as such, there is always the question of what lies beneath the surface--of who or what provides the impetus for a particular tactic in a particular attack on a given official at a given time. Some of the tactics tend to be more prevalent in certain regions of the country--particularly the South. Others are more commonly applied against a particular level of office--such as Mayors of cities. These patterns are elaborated on later in the report. But such patterns do not answer entirely the larger question. What is abundantly clear, however, is that the attacks come generally not from the public, but from those individuals within the system who would like to see the voices of Black officials silenced.

Furthermore, in almost all instances, the tactics employed overlap; that is, the harassment involves an element of cooperation by various parties.

Coordination of Harassment

The phenomenon that is given the label "conspiracy" can be turned over and over and examined from many different angles. It can mean many different things to many different people. One definition was offered as a guideline at the beginning of the report:

> conspiracy · premeditated collusion to deprive a person or persons of their rights or privileges.

Using that definition, conspiracy is most certainly involved in many instances of harassment. Conspiracy is indicated at three levels, at least. In certain cases, where efforts have been made to remove officials from office through recall or indictment, or where the attacks of the media are sustained and repetitive, there seems little question that in the particular locale, in the specific case, persons have conspired to destroy the official involved. Then, conspiracy is evidenced at the Federal level in that various agencies work together, planning, consulting, and exchanging information, to participate in the bringing of charges against selected officials. Finally, conspiracy is intimated on the part of financial, industrial, political elements whose interests dictate maintaining the status quo and opposing the fundamental economic and political changes inherent in the acquisition of power by Blacks. The speculation is that conspiracy extends internationally in that it involves matters of energy resources in Third World nations and the relation of American Black politicians to those nations.

Whether there is a single national or international conspiracy in the sense of a plot being masterminded to destroy the institution of Black politics through the systematic discrediting and elimination of change-oriented Black elected officials has not been determined by this study. Neither does it determine that there is not such a conspiracy. But it can be said, with a fair degree of confidence, that conspiratorial activities transpire within certain newspapers; among businesses and corporations; between Federal agencies; and among intelligence, law enforcement, and judicial operations. Further--as the cases presented in this report repeatedly argue--the media, corporate interests, the government, and intelligence agencies, or some combination thereof, as a matter of routine, cooperate with one another in a manner that discredits and contains the real or perceived power of selected Black officials.

To say that there is conspiracy is not really to say anything that is new or different. "Premeditated collusion to deprive" Black people "of their rights or privileges" is not unusual. It is not out of the ordinary. It is the white American way. Conspiracy proceeds logically from the reality of America. It is immensely reasonable to suspect conspiracy.

Conspiracy is first of all a reaction--a reaction to the challenge to white supremacy. In some instances, at some point, it becomes proactive. It is a conspiracy, if for no other reason, in that racism is and always has been a conspiracy against Black people. The unconscious discrimination against Black officials, the deliberate harassment by certain individuals of a Black official, the agreements among various agencies to attempt to smear the reputation of Black officials--all these acts have their origins in racism and are thereby extensions of conspiracy. As Carl Stokes has put it, conspiracy is "the mood of this nation."

Participants in the various levels of conspiracy may be generally classified into two categories: the knowing, and the unknowing. Those who know are undoubtedly relatively few in number--but great in their power. Those who do not know are of vast numbers. They are those who write a story to please the managing editor; they are those who follow an order because to do so is the hallmark of their profession; they are those who zealously respond to the cry of corruption; who function out of blind, unquestioning loyalty; who act out their unconscious racism, their dislike of empowered Blacks, or their ignorance and insensitivity to Black needs and concerns; or who simply, in following the traditional policies and practices within which racism is institutionalized, perpetuate the racism.

For those unknowing participants who will disclaim a role in carrying out conspiracy because of absence of what they deem to be adequate or absolute proof, there is this admonition by another human rights worker, Ruth Shechter, to be considered:

> If you have enough people in power with the same values, coming from the same premise, having the same philosophy, it is safe to assume that they are going to arrive at the same conclusions. And if those conclusions are inimical to your philosophy, then you have the same net effect as if there were a conspiracy. A defined, structured conspiracy need not exist; it is in the ethics of this society to come to those conclusions that suggest conspiracy. And I think that this is the question that we are addressing--the fact that this society's ethics are still so deeply imbued with racism, institutionalized and otherwise. The depth of this racism goes far beyond what some of us

> thought really existed. And this I consider a grievous, awesome challenge that we ought not to let go by.[1]

The Effectiveness of Harassment

The consequences of harassment are in some instances obvious, as when an official is forced to resign, or fails to win reelection because of false accusations. More often, the consequences are not so obvious; but they are no less real.

The consequences are, first and most immediately, indescribable pressures on the elected officials in question. To begin with, they have the pressure of performing the normal tasks of elected public officials. On top of that is added the pressure--the time and energy--of combating the charges and accusations. Then there comes--in an effort to elude the possibility of additional harassment--the necessity of taking onto oneself the responsibility for performing certain administrative tasks that normally would as a matter of course be delegated to staff members.

Not to be underestimated is the pressure of personal, emotional reactions to the defamation of one's character and the impugning of one's integrity. Coretta King has sensitively described Dr. King's own reaction to the attacks on him:

> Hardly had we moved into our rented house in Atlanta when Martin was hit by the most serious attack on his reputation he had ever endured. A Montgomery Grand Jury indicted him on a charge of falsifying his Alabama state-income-tax returns...
>
> Though the accusation was utterly false, it caused Martin more suffering than any other event of his life up to that point. He said to me, "Many people will think I am guilty. You know my enemies have previously done everything against me but attack my character and integrity..."
>
> ...Despite all the bravery he had shown before under personal abuse and character assaults, despite the courage he was to show in the future, this attack on his personal honesty hurt him most.[2]

Still another kind of pressure has to do with the infrequency with which the whole truth can be known--about anything. We forget--or we fail to consider--how rarely is known the full story behind an attack on an official, behind what the media chooses to present to the public, what the officer or agent chooses to present to the prosecutor. Sometimes the accusers themselves--because of blind racism, or differences in values that lead to false interpretation, or simple lack of pertinent facts--do not truly know the story behind the story. They accuse and condemn, not knowing what they are doing. Whether they know or not, the accused never has comparable opportunity and resources for telling his or her side of the story.

And there is yet the final pressure--the pressure of fear for one's safety, for the welfare of friends and family, for life itself.

These cumulative pressures all too frequently take their toll on the official's family, and it seems a fair assumption that the divorce rate of Black officials is disproportionately high, in no small measure because of the impact of harassment.

Probably no consequence is more devastating than the resulting erosion of support from former friends and associates who at one level or another believe the charges and turn on the official, or simply avoid him.

The consequences extend to economic losses. Officials under attack are susceptible to losing credit ratings; they are denied loans; their businesses suffer or fail completely; they are required to expend thousands of dollars in attorney fees to fight IRS charges and Grand Jury indictments; some even use personal funds to underwrite the costs of office expenses in order to avoid having to resign when adequate budget allocations are maliciously withheld.

The consequences encompass the frustrating of professional objectives. In a recently conducted study of Black officials, participants cited among their reasons for seeking office: 1) developing of confidence in politics and government as potential instruments for Black progress; 2) increasing employment of Blacks in government; and 3) engendering confidence among whites that Blacks are, can be, and will be fair and capable.[3] Each of these objectives is sabotaged by the harassment--through charges of reverse discrimination, through the demolition of role models, through the destruction of confidence, through the suffocating of hope.

The smearing of the reputations of Black officials results in loss of credibility with the public. Some then become reluctant to speak out or to act aggressively. Some are discouraged from running for re-election, or find themselves unable to overcome recall efforts. For others, the undeserved stigma follows them into new endeavors, damaging their opportunities for appointment to higher levels of positions that involve access to classified information and the exercise of genuine power. The talent of some of the most capable, energetic, and committed persons in the nation is thereby lost.

The collective pressures that come of being the target of the kinds of attacks described in this report constitute nothing less than sheer anguish. And it may be that the effect of the combined pressures is precisely what is intended by the perpetrators of the conspiracies--to make the position of an elected official so frustrating, so unattractive, so anguish-filled, and so intolerable that Blacks quit, or refrain from running for re-election, or decline to seek office in the first place.

Some might argue that to publicly proclaim this anguish only plays into the hands of those who harass Black elected officials by revealing to them the extent of their success. It can be argued, on the other hand, that what it does is to speak to the humanness of the elected official...And that those who know what they do...already know...

It is to the credit of Black officials that in spite of the pressures, Black politics has not been stopped. The overall effect of the harassment is to reduce the ability to institutionalize change, and to impede the building of a stronger presence of Black coalitions to truly influence the system. The "drag" from the "friction" clearly reduces the impact of Black elected officials. But they have not been stopped.

The Context of Harassment

A key issue in examining the harassment relates to the atmosphere in which it occurs--the conditions that allow and enable it to be expressed. A discussion of the atmosphere that allows harassment to flourish requires referring, once again, to the era of Watergate.

Repressive measures have long been commonly accepted by white elite groups where "national security" was concerned.[4] The depth of the acceptance was extensively documented in the Watergate Hearings conducted by Senator Sam Ervin as Chairman of the Constitutional Rights Subcommittee and in the "Final Report of the Select Committee to Study Governmental Operations With Respect to Intelligence Activities," which was the product of the Congressional Committee chaired by Senator Frank Church. These investigations exposed many of the domestic techniques of the FBI, the CIA, Army Intelligence, the National Security Agency and the Internal Revenue Service that, beginning around 1964, were developed for purposes of monitoring and disrupting individuals and groups generally viewed as "subversive." Although such tactics have been traditionally rejected in partisan politics, it remains the prerogative of white elite groups to define what constitutes a threat to "national security." This prerogative was exercised in the most pejorative and blatant fashion under the Nixon administration, even to the point of involving partisan politics.

The practices of the Nixon administration extended to Black elected officials in that they were among those identified on the White House and IRS "enemies" lists. The mentality of the Watergate era of repression continues to stalk Black elected officials. Where tactics were before designed to cope with the "threat" of riots, bombings, civil rights demonstrations, peace demonstrations and campus protests, many of these same tactics continue to be employed against Black officials. Black elected officials clearly are not accepted by government elites as legitimate members of the club of partisan politics, but rather are viewed as "disruptive and subversive elements"--as a danger and threat to American security. A policy of repression by white political elite groups prevails.

The analogy with Watergate seems incomplete when one considers that among the greatest contributors to the harassment are the white communications media, while the media were viewed as the "heroes" of Watergate. This seeming paradox is resolved with the recognition that the media are an elite group which, in contrast to Federal agencies, opts to treat Black officials as if they are members of the club of partisan politics. (Which is not to say they really believe that is the case, or should be the case; it does speak to a near total lack of understanding on the part of the white media of the Black perspective.) The attacks by the media on Black officials are, therefore, on the surface, at least, consistent with their investigations of Nixon, their printing of the Pentagon Papers, and their exposure of Watergate. Only in those instances, their allegations were correct, and in their allegations against Black officials, they are so often wrong.

Black officials thus function in a crossfire of tactics by the media and governmental intelligence and law enforcement elites that stem from diametrically opposite assumptions about the true role of Black officials. Curiously, without regard to these differences in assumptions, but apparently out of commitment to destroy Black officials regardless of the rationale, the media and enforcement agencies often cooperate with one another in their investigations, in the sharing of information, and in rationalizing the attacks. Use of the media to stir dissent is a deliberate tactic used by intelligence agencies. Media accusations provide impetus for investigations by law enforcement agencies. Government charges then provide ammunition for media harassment.

That this interplay can persist is attributable largely to two factors. First, the two institutions in this country that are out of control are the press and the intelligence community. The press, in accordance with the First Amendment, has free rein to be irresponsible. The intelligence community, by virtue of its very mission, is immune from inspection and assessment. And these two institutions undeniably interact with a third institution that is the most invisible of all--the corporate structure. Few can say what transpires under the rubric of free enterprise. Fewer still --if any--are in a position to intervene at the point of confluence of these three institutions.

The second factor that facilitates the interplay has to do with the public. The role the public plays is not in initiating harassment so much as in accepting it, in condoning it by not challenging it. The reasons for this are varied.

The reasons begin with the racism of the American society, from which no white member is totally immune. It is a matter of social conditioning. It is a psychological sickness. It is provocation for what is called "status anxiety." It is, above all, irrational, and thereby defies rational explanation. The irrationality of racism is in fact cultivated by the "reason" of many social scientists who create and perpetuate myths about Blacks that sustain the environment which allows the acceptance of harassment.

This acceptability of harassment is compounded by a general public sentiment that racism has been eliminated and that Blacks are no longer discriminated against. The public, by-and-large, considers Alex Haley's Roots to be a story of the past, and not a statement of the present. It is compounded as well by a related mood of resentment--particularly on the part of white males--toward affirmative action programs, a resentment that is expressed in charges of reverse discrimination and that is exacerbated by the high rates of unemployment and inflation that at this time characterize the national economy. (The issue of affirmative action takes on additional significance when one considers that the media and the intelligence community have among the worst records in hiring Blacks--which is unquestionably a major contributing factor to their particular treatment of Black issues and officials.)

The acceptability is compounded further by the confusion of Watergate. The masses of white people--and some Blacks as well--lean toward the expressed premise of the media, viewing Black officials as part and parcel of a corrupt political system and therefore automatically suspect.

Given all the forces that conspire against them, Black officials, of necessity, turn to the Black press and Black constituents for support. And this act, too, not infrequently is invoked by whites as grounds for criticism and harassment. Further, whites bent on harassment are not averse to enlisting the aid of Blacks in attacking Black officials, and more than a few Blacks cooperate if the enticement is sufficient.

The matter of the atmosphere in which harassment is expressed thus turns unavoidably to the question of internal weaknesses of the institution of Black politics.

Referring to Black politics as an institution is not to say that there exists a structured, organized, mechanism through which Black politics operates. Such a mechanism does not exist at this time on a nation-wide basis. Nor is there consensus among Black politicians as to whether one should exist. But the absence of such a mechanism is surely a factor in the expression of harassment.

As has been pointed out by Reginald Gilliam, many Black officials--_in order_ to practice Black politics--function as independent individuals, using only the immediate office they hold as the base of power. (By independent is meant that while they may be members of a "white" political party, they are not closely tied into party machine politics.) Because of the lack of supportive mechanisms, the predicament of Black officials--when attacked--is more personal than institutional, and therefore more precarious. In other words, the offensive position of Black officials--the setting of policies and priorities--is institutional; that is, reflective of the institution of Black politics. But their defensive position is individual--because the institution largely lacks the mechanisms to defend them.[5]

Until adequate defense mechanisms are developed, Black officials will continue to be vulnerable. They will continue to be accused, indicted and tried. The trials will be, for the most part, not by a legally convened court of law, but by the media, by enforcement agencies, and by the public. The trials will be conducted in a manner and atmosphere reminiscent of the court of Pontius Pilate where the question of which of those accused were to be crucified was decided by the sentiments and emotions of the mobs. The trials will be in courtrooms where the question, "Why, what evil has he done?" is asked to no avail because the judges--though knowing the innocence of the accused--have neither the courage nor the conviction to oppose the will of the masses and the powers of the elites.

Defenses Against Harassment

Many officials have concluded that the only defense against harassment is to "be more careful," to allow no room for any possible charge of wrong-doing. Others argue that such a position only makes credible the prevailing double standards, and unfairly imposes additional burdens on the victims.

Given the absence of evidence of an imminent transformation in the national character of racism, the most urgent need would seem to lie in developing a defense through the strength of solidarity with one another. But the burden of a long-range solution cannot be solely that of Black officials. The responsibility extends to all persons in positions of power--in corporations, in government, in the media. It extends as well to family members and to staff members. It extends to the entire Black community, the entire white public, to all individuals concerned for freedom and human rights--and, for that reason, most especially to the educational system, to professional human rights workers, and to the religious community.

The church may, in fact, in the final analysis, be the key in the defense of Black officials. That this is so is inherent in what must ultimately be acknowledged as the true nature of the problem. The true nature of the problem is articulated in words that were spoken years ago by A.J. Muste:

> I think one is driven to the conclusion that the root of the difficulty is moral and spiritual, not primarily political or economic or organizational. Inextricably mingled with and in the end corrupting, thwarting, largely defeating all that is fine, idealistic, courageous, self-sacrificing ...is the philosophy of power, the will to power, the desire to humiliate and dominate over or destroy the opponent, the acceptance of the methods of violence and deceit, the theory that "the end justifies the means...[6]

Some specific recommendations for action by various groups are offered in the final section of this report, "Toward Resolution." Even if these recommendations have substance, and other strategies of defense are devised and implemented, the question remains, "Can the spirit and purpose of Black politics prevail?"

Prospects for the Future

It is, of course, possible, with the major changes in the administration of the Federal government which attended the 1976 election, that harassment may diminish. What seems more likely is that with these changes--for the next few immediate years, at least--even greater numbers of Blacks will seek to enter politics. And as the magnitude of involvement increases, so, too, will the volume and magnitude of harassment. As the degree of participation is enlarged, a corresponding increase in objection and resistance will be mustered. Consideration must, therefore, be given to the possibility of a repeat of post-Reconstruction, and the attendant consequences.

> There can be little question that the Black community, during the past ten years, has come to wield greater direct power than ever before in the political and governmental life of the United States. The higher levels of Black voter participation, and the election of a greater number of Blacks to government office are not only principal components of that achievement, but principal guarantors of its continuation. But it is undeniable that, despite these advances, equity between the levels of power residing in the Black community and in the White community is still nowhere in sight. Any second Reconstruction that recent Black political gains may conceivably herald is therefore not nearly developed enough (and especially not strongly enough supported by equity in higher levels of American economic life) to resist blows such as crushed the first Reconstruction. And if these blows do in fact materialize, if the Black community is driven back from even the slight political gains of the recent past, or prevented from deepening and extending them, that tragedy would engulf more than the Black community alone. Given the scope of social structural and attitudinal bases on which these gains rest and from which the Black community moves forward, the many ramifications of such an attack would gravely endanger representative government for all Americans--White, as well as Black.
>
> For these reasons, the rapid achievement of political, economic, and social equity between the Black and the White communities and of equality between Black and White individuals remains an indispensable defense of American democracy."[7]

While depicting a repeat of post-Reconstruction as a possibility, the authors of this statement have taken a generally skeptical position with regard to the probability, citing a number of factors that militate against such an eventuality. These factors include today's regional dispersion of the Black population and its urban concentration; occupational and educational changes; the official positions taken by the United States in both domestic and foreign affairs against racism; the increase in Black awareness and self-pride; the experiences of greater numbers of Blacks with "politics of resistance"; changes in attitudes of White Americans generally toward Blacks; the tendencies of increasing sophisticated physical technology and increasing influence of Federal government to enhance the impact of other deterrents;

and, finally, the presence, in itself, of significant numbers of Black officials.

The findings of this study discourage any inclination to give comparable preventive weight to all of the particular factors they consider. Given the depth of the opposition and the breadth of the tactics to which the opposition has access, those considerations alone do not seem sufficient to wager that a repeat of post-Reconstruction is improbable. But placed in perspective, neither do the study findings lead to taking a position of anticipating post-Reconstruction II.

Reaching back to the past, to the history that tells of endurance and victory in spite of humanly insurmountable obstacles, a different vision of the future must be embraced. The position is taken that whether or not the institution of Black politics succeeds in attaining its ultimate objectives, it will not be turned back from its quest, and it will manifest movement toward its goal. The position is taken that the events of today and of tomorrow can be viewed as hopeful signs.

The present anguish of Black elected officials can be counted as the "redemptive suffering" of which Dr. King so often spoke. The reactions of harassment to the struggles for justice can be viewed as the potential "creative tension" that Dr. King believed was so necessary for genuine change.

> ...We need to remind ourselves constantly that the nation's pervasive pro-white inheritance is in a constant--and happily, a growing--tension with the ideals of racial justice or fair play.
>
> Actions always set into motion reactions. This is a physical, social, emotional, philosophical and spiritual or esthetic law or inherent dynamic...Reactiveness may be only a symptom of the trauma of racial change moving surely--and with devastation--against our racial habits and traditions.[8]

As James Baldwin has put it, in his inimitably stark and cryptic fashion:

> Whether we like it or not, and no matter how hard or how long we oppose it, there will be no more segregated schools, there will be no more segregated anything. King (was) entirely right when he (said) that segregation is dead. The real question which faces the Republic is just how long, how violent, and how expensive the funeral is going to be; and this question it is up to the Republic to resolve...The sooner the corpse is

> buried, the sooner we can get around to the far more taxing and rewarding problems of integration, or what King (called) community, or what I think of as the achievement of nationhood, or more simply and cruelly, the growing up of this dangerously adolescent country.[9]

Then there is the assessment made by Alex Poinsett of the "National Black Political Agenda" developed at the National Black Political Convention of 1972:

> And so, on this most historic of Sundays, on this most hopeful of Sundays, on this most prayerful of Sundays, these ambassadors from black America struggle(d) to construct new political foundations...
>
> The Black Agenda articulated a revolution of values, a social transformation placing "community before individualism, love before sexual exploitation, a living environment before profits, peace before war, justice before unjust 'order', and morality before expediency." ...The Black Agenda dismissed "white politics" as dedicated to the preservation of white power and hence incapable of delivering blacks "from the clutches of Babylon"...The Black Agenda repudiates the politics of smoke-filled rooms, of under-the-table deals, of corruption and fraud, of selling boatloads of blacks down the river...
>
> The revolution in political, economic and social values it proposes has profound implications for a new political order. It may be beaten back this time or the next. But, ultimately, it is difficult to see how black or white politics in America can ever be the same again.[10]

So the position taken is one of faith that in time the attacks will crest--as society accommodates itself to the change, as the empowered conspirators acknowledge the futility and the damage that their resistance rends to their own ultimate vested interests. Seen in this light, paradoxical as it may seem, increases in attacks can be met--if not with rejoicing --then with conviction that peace and justice are yet attainable, and worthy of pursuit.

The challenge becomes not to acquiesce, not to succumb, not to grow disheartened. In the words of Dr. Kenneth Clark,

> ...The hard work required for election merely foreshadows the difficulties to be overcome after election...The challenge is difficult, but it is unavoidable. If the black elected official is to

> be relevant and effective in the continuing and intensified struggle for racial justice, he cannot be just another politician. While he must be realistic, he cannot be expedient. His realism must be the realism of unswerving and uncompromising concern with the problem of social and racial justice. The challenge can be met and it can be met with confidence and with dignity. Once this challenge is met and overcome, the black elected official will have made a crucial contribution to America. He will have helped all Americans to be liberated, and to be free, and to be truly democratic.[11]

Black officials of the past years, of the present, of the next few years are, in effect, the first line of soldiers in today's battle of the on-going war. That those following in future battles will not be hit so hard, that there may be future battles and ultimate victory, the need now is to reinforce the troops--not dilute the ranks. Black officials cannot be intimidated; they cannot shirk from the office because of the unpleasant features that in this time in history accompany that role.

In other words, we must plunge into the waters of political participation, turbulent though they may be. As that wise and searching theologian, Dr. Howard Thurman, has interpreted the sometimes elusive meaning of the spiritual whose words command, "Wade in the water, children": "Do not shrink from moving confidently out into choppy seas. Wade in the water, because God is troubling the water."[12]

Calm and peaceful waters may mean oppression, discrimination, racism--the status quo. To create out of that serenity for some a society of justice and equality for all must entail convulsive thrashings, torrents of swirling water. Justice will never be if we stay out of the water.

That does not just mean Blacks seeking elected office, though assuredly that is essential. It means, as well, Blacks registering to vote--and then voting. It means whites examining their consciences and protesting unfair treatment, supporting the thrust for truly representative democracy. It means the media giving equal consideration to all the freedoms guaranteed in the First Amendment. It means regulatory agencies of government enforcing the law--and observing the law. It means human rights workers linking the issues of integration and equal opportunity with the issue of political representation. It means the church practicing a theology of social concern and liberation. It means all citizens--Black and white--insisting on representation by officials of integrity--be they Black or white. It means differentiating between the Watergate type of corruption and the false, racist charges of corruption, demanding that the unwarranted attacks cease.

To do otherwise, rather than the fulfillment of the Dream, is to wander along the path to the end that this passage contemplates:

> In Germany, they first came for the Communists, and I didn't speak up because I wasn't a Communist. Then they came for the Jews, and I didn't speak up because I wasn't a Jew. Then they came for the Trade Unionists, and I didn't speak up because I wasn't a Trade Unionist. Then they came for the Catholics and I didn't speak up because I was a Protestant. Then they came for me--and by that time no one was left to speak up.
>
> --Pastor Niemoller--
>
> (Victim of a Nazi Concentration Camp)

1/ Ruth Shechter, Remarks at the 1976 Annual Conference of the National Association of Human Rights Workers, Workshop on Minority Elected Officials and the Issue of Harassment, Atlanta, Georgia.

2/ Coretta Scott King, My Life With Martin Luther King, Jr., (Holt, Rinehart and Winston: New York), 1970.

3/ James E. Conyers and Walter L. Wallace, Black Elected Officials: A Study of Black Americans Holding Governmental Office (Russell Sage Foundation: New York, N. Y.), 1976.

4/ For further discussion of the model of elitism, see Thomas R. Dye, Understanding Public Policy (Prentice-Hall: Englewood Cliffs, New Jersey), 1975.

5/ Reginald E. Gilliam, Jr., Black Political Development: An Advocacy Analysis (Kennikat Press: Port Washington, N. Y.), 1975.

6/ Nat Hentoff, ed., The Essays of A. J. Muste (Bobbs-Merrill Company, Inc.: Indianapolis), 1967.

7/ Conyers and Wallace, op. cit.

8/ Nathaniel Wright, Jr., Editorial, Sacramento Observer, December 2-8, 1976.

9/ James Baldwin, "The Highroad to Destiny", in Martin Luther King, Jr.: A Profile, C. Eric Lincoln, ed. (Hill and Wang: New York), 1970.

10/ Alex Poinsett, "Unity Without Uniformity," Ebony, June 1972.

11/ Mervyn M. Dymally, The Black Politician: His Struggle for Power, from the Foreword by Kenneth B. Clark (Wadsworth Publishing Co.: Belmont, California), 1971.

12/ Howard Thurman, Deep River (Friends United Press: Richmond, In.), 1975.

I. GRIEVANCES

The methods of collecting information about harassment were multiple. A national clearinghouse, consisting of members of the National Association of Human Rights Workers throughout the country who acted as a network for information exchange, was established soon after the Committee on the Status of Minority Elected Officials was formed. Clearinghouse participants were asked to submit news clippings on incidents reflecting harassment to the Committee; they also participated in a national survey of Black elected officials in several States. Assisting with the survey--which involved the mailing of a brief questionnaire to individual officials--were local chapters of NAHRW, as well as Committee members. Some cases were identified through magazines and other publications. Others were brought to our attention by word-of-mouth--that is, by one official with whom contact was made suggesting the names of others who had had difficulty.

In many instances, officials who came to our attention were then contacted by phone to obtain clarification and additional detail. In-person, taped interviews were conducted with a selected number of officials in order to achieve a more in depth understanding of the issues involved.

At this writing, the information is still coming in. The cases presented here--some discussed in considerable detail, others described only briefly--only provide an overview of the diversity of harassment. They do not tell the whole story.

We have reason to believe that many officials who have been harassed declined to respond to our inquiries--for reasons that are partially speculative: that to probe into the attacks they had experienced was too painful; that some are reluctant to concede being treated differently than whites; that the time and energy required to avoid or cope with such attacks in addition to performing their normal duties precluded responding; that the source of the inquiry was unfamiliar and the use to which a response might be put suspect; that the questionnaire itself was intimidating; that some fear prevailed that a candid answer might initiate additional harassment. Some who did respond asked not to be identified, and those cases are therefore presented anonymously.

That the threat of potential harassment rests heavily on the minds of many officials was attested to by those who responded saying, "None yet!...Keep in touch."

"None yet but could come at any time."

"I have been suspicious of telephone taps but have no proof!"

"Luckily, I haven't experienced any harassment thus far."

"I would like to thank you and your organization for conducting this study. It may, in some small measure, assure that I do not experience this kind of situation..."

"Fortunately, I have not been subjected to such rash behavior to date."

"None so far. I'm sure that I'm not immune, however..."

"While I have experienced no harassment yet, I feel that we should be on our guard at all times."

"I guess I am one of the fortunate ones...Nothing has happened so far, thank goodness."[1]

As Lieutenant Governor George Brown has summarized, "Black politicians not facing harassment voice a foreboding: I wake each morning wondering when...'" That, in itself, is an indicator of a problem.

What we do not have any measure of at all are the numbers of officials who sought an office--and failed because of the harassment. Or who once were in office--but are no longer there because of harassment. We do know that harassment of Black candidates and officials is not a new phenomenon. It only now comes to our attention in sufficient volume to arouse concern because it is only in very recent years that Blacks have been able to seek and obtain elective office in any significant numbers. The knowledge of much of what has happened in the past may be forever lost to all of us--except, of course, to those brave persons who fought and lost, alone and in anonymity.

But we have hints of what really occurred in post-Reconstruction.[2] We have fragmented accounts of the experiences of some individuals who took seriously the promise of the 1965 Voting Rights Act.

> In Camden, Alabama, the white principal of a Wilcox County High School called the black teachers, cooks, janitors and bus drivers on his staff together and told them, "You vote for these folks (i.e., the white candidates) or you lose your job."

> In Beaufort and Jasper Counties, South Carolina, a white and black candidate ran against each other for a state house seat. The white candidate's "family" gas company provides most people in the district with butane for cooking and heating. Some families were told that if they did not vote for the white candidate, they would not have gas for the winter.
>
> In Moss Point, Mississippi, an anonymous caller threatened an unsuccessful black candidate after a newspaper reported his intent to seek a recount of the 1973 primary vote. "He knew where my little girl went to school...who picked her up and what time she got out of school...and I had best not cause any trouble."[3]

The circumvention of laws has not been restricted to the South: In Iowa, a candidate for the office of state representative who ran against a write-in candidate, after her original opponent died, lost the election. Numerous complaints and reports of voting irregularities, including a disproportionately high number of absentee ballots and interference at voting booths, were forwarded to the District Attorney via a local human rights agency. The District Attorney declined to act on the charges.[4]

Nor does the frustration of the law inevitably mean failure: Former Congressman Andrew Young was elected to that office only after the Department of Justice, as the enforcer of the Voting Rights Act, intervened in what James Turner, Deputy Assistant Attorney General, called "a patent racial gerrymander, calculated to minimize the black voting strength and maximize the white by going out to the suburbs."[5]

Congressman Young's pursuit of office was further complicated by "marked changes in the location of polling places...The percentage of predominantly black precincts with changed polling places was almost twice as high as the percentage of white precincts with changed polling places. In fact, some 60 of the 62 precincts in predominantly black neighborhoods in the (Fifth Congressional) District had changes in their boundaries and polling places...As if the manner in which the changes were made was not bad enough, notices of the changes were not sent to voters until less than a month before the primary. Many voters received no notice or an incorrect notice...The problem was initially presented to the Fulton County election officials who drew the new precinct lines and relocated the polling places...County election officials proved obdurate and refused all reasonable suggestions..." Relief was subsequently obtained through the filing of a lawsuit.[6]

The case of Andrew Young, particularly, lends itself to weighty consideration. What might have been the impact on the course of history had he failed, because of the tactics described, to become the Congressman from Atlanta, Georgia and thus not been available to play the role he did in the election of President Carter? It is an interesting speculation...

Multiplied many times over, the issue is not one for just intellectual curiosity; it is of more than idle interest. It is a fierce and frightening cause for alarm.

Believing that the telling of such stories carries far more impact than could any statistical summary or dissection of numbers, the grievances of Black elected officials are presented as a series of case histories. There is much to be said for research that documents the scope of a problem through national surveys, statistical analyses and theoretical generalizations. There is, as well, an inherent risk in such research, and that is the potential for losing the human element. In some instances, the case summaries presented here are based on participant observation--actually being present as the incidents unfolded. In others, they emerge from personal interaction with the respective officials over periods of time that range from less than an hour to many years. No claim is made, in this approach, of an absence of bias. One can marvel at the strength and fortitude of officials who continue to carry out the duties of their offices in a responsible fashion even as they are being unfairly accused of irresponsibility; but one cannot listen to the accounts and watch the progression of such events without also responding in the depths of your being to the spiritual burden imposed.

* * * * *

The Beginning

For a man known for his ebullience and verbosity, Adam Clayton Powell, Jr. summarized his own case with startling brevity: "My only crime was acting like a white man."

The timing of his "indictment" is immensely significant. The 1965 Voting Rights Act and the 1966 Black Power movement combined in 1967 to produce the greatest number of Black candidates for public office that the nation had seen since Reconstruction.

> But 1967 held out its share of political misfortunes for Black people as well. The year began as if America were going to embark on a journey of vengeful political repression of Negroes instead of one hastening their political

> progress. The U. S. House of Representatives, frightened and angered by the sprawling popularity of the Black Power concept among Negroes, summarily excluded from the Ninetieth Congress Representative Adam Clayton Powell, chairman of the Education and Labor Committee, one of the country's most powerful negro politicians and an early exponent of Black Power. It was the first legislative "white backlash" to be organized against a black politician since the Reconstruction, when the U. S. Senate refused to seat the dutifully elected Senator from Louisiana, P. B. S. Pinchback, in 1876.[7]

Just as Congressman Powell may be appropriately ragarded as the forerunner of the current generation of Black officials, so too, the attacks on him marked the beginning of the now prevailing pattern of harassment. Indeed, Congressman Powell himself prophetically anticipated the events of today in a statement he issued at the height of the attacks on him:

> Silence gives consent.
>
> Until now, my decision not to speak out against any attempt to unseat me in January or have me step aside to deprive me of my chairmanship has fostered a public misrepresentation of my strong feelings on these matters.
>
> But I have been deeply moved by the unexpected outpouring of support from thousands of Negroes and Negro organizations all over the country...
>
> Their combined voices raised in my behalf has made it clear to me that the fight to retain my chairmanship--and this is really the only issue in this struggle--must be militantly pressed. This we owe to coming generations of Black children who will one day decide the future of this country.
>
> In the undercover conspiracy to take away my chairmanship, (the) facts--a matter of public record--have been deliberately ignored...
>
> How much is race--the fact of my being a Negro--the singularly most important issue in the efforts within the House of Representatives and editorials against me?
>
> To what extent are they motivated by the desire to politically castrate one of America's most powerful Negro politicians of his power?

> How much does all of this represent the convulsion of change--the beginning of the new era of the rejected Negro, an organized turning of white America's back on its Black brothers?
>
> The...facts speak for themselves...
>
> The...facts, taken in concert, unequivocably permit the conclusion that a political conspiracy of enormous dimensions involving certain influential members of the press and I deeply regret, a number of my colleagues in Congress, has not only been mounted against Adam Clayton Powell, but against Black political leadership, Black people and Black progress.

These were among the facts that Congressman Powell recited:

> 1. In the past 50 years, not a single Congressman has ever been denied his seat by the House of Representatives or deprived of his chairmanship after he had held that chairmanship.
>
> 2. Of the present 20 House committee chairmanships, only two are held by Negroes. I am one of the two...
>
> 3. Of the present 435 Congressmen, only 6--or 1%--are Negroes. To consider unseating even one of these Negro Congressmen..is to scissor a full one-sixth of the political power of the already miserably underrepresented and wretchedly powerless Black people.
>
> 4. There are more Negroes on my Congressional staff than on any of the 435 Congressmen and Senators' staffs--and that includes those who are most loudly committed verbally to civil rights.
>
> 5. There are more Negro employees on my Committee--the Education and Labor Committee--than on any of the 36 Committees in both the House and the Senate... The move to unseat me or have me step aside is also a move to fire 12 well-paid Negro staff members. Racial bigotry in the House of Representatives is one of the most critical problems confronting America today.
>
> 6. Of the five top professional and highest paying jobs on my Committee staff, three...are held by Negroes.

> 7. The only person Sam Gibbons (a member of Powell's committee and a leader of the revolt against him) publicly declared he wanted dismissed three months ago was a Negro. There are several Congressmen who were witness to his statement.
>
> 8. When the Mississippi Congressional delegation was challenged on January 4, 1965, at the beginning of the 89th Congress because they were all elected by an electoral process allegedly in violation of the 14th and 15th Amendments to the U. S. Constitution and where the right to vote had been denied and abridged for thousands of Mississippi Negroes, the House still voted to seat Mississippi's delegation...None of the facts in the disposition were disproved and nobody but a few persons raised any outcry. Certainly the editorials of America were silent on this issue.
>
> 9. Again, the Mississippi Congressional delegation was challenged on September 17, 1965, by Mississippi Negro Congressional candidates contesting the election of the five Mississippi Congressmen. The challenge was thoroughly documented...Again, the Mississippi delegation was seated...and leading the fight on behalf of the Mississippi Congressmen was the chairman of the Democratic Study Group, Representative Frank Thompson, also one of the leaders in the move to unseat Adam Clayton Powell.
>
> Prior to the two attempts to unseat the Mississippi delegation, there were no comments by Congressmen calling them a "bone in the throat of Congress" or that they "smelled like crocodiles" or that they were "fugitives from the justice never accorded Negroes in Mississippi." Nor was there a spate of hysterical editorials angrily demanding the Mississippi delegation's unseating.
>
> 10. I have been unfairly subjected to one of the most abusive cases of "trial and conviction by editorials" in the history of this country... Even before the conclusions of the Hayes Subcommittee have been published, pre-judgments of my guilt have been widely circulated...[8]

What was the sequence of events that necessitated his making such a statement?

The State of New York redistricted in the 1940's, giving Harlem a new Congressional seat. As pastor of Abyssinian Baptist Church in Harlem, Adam Clayton Powell established "the most powerful Black political base the nation has seen" and became, in 1945, the first Black member of the House of Representatives from the East. As "the first Black leader in America whose financial support came from the people he served," he was "free to speak his mind." And he did.

He worked to end discrimination in the military service and to stop Jim Crowism in Congressional facilities. He attempted, through the "Powell Amendment," to prohibit the use of Federal funds in "any project in which discrimination existed." He staged mock confrontations on the House Floor, taunting Congressional colleagues, calling them names, and making verbal assaults on Southern Representatives. He forced "the press corps to admit Black newsmen to the press galleries of the House and the Senate."[9] In 1961--by virtue of the seniority system and in spite of strong opposition from George Meany, because "Meany knew that Powell could not be 'purchased'"--Powell became chairman of the House Education and Labor Committee.[10] "He served in that capacity for five years and produced nearly 60 of the most progressive bills in the Kennedy-Johnson era, including the controversial war on poverty...Powell's record as a chairman became legendary: he never had a bill from his committee defeated once it reached the House floor."[11]

But even before assuming the powerful committee chairmanship, his problems had already begun.

In 1958 he was indicted on three counts of tax evasion by a Federal Grand Jury. Two years later, two counts were dismissed and the trial on the third count ended in a hung jury. When efforts continued to obtain back taxes from him, Powell paid nearly $30,000, at which point fraud charges against him were withdrawn.

In 1960, as a result of remarks he made on a television program when speaking out against activities of the gambling syndicate in Harlem, Powell was sued for defamation of character and slander. Powell ignored the libel suits, the subpoenas, and the judgment orders--claiming rightful Congressional immunity--which resulted in 1966 in his being convicted of criminal contempt. While the case was moving through the courts, Powell made a trip to Europe with two women Congressional staff members that, along with the legal proceedings, received widespread negative coverage by the white media.

> The public was given the impression, through a barrage of racially hostile and morally sanctimonious editorials and stories, that Powell was "defying the court," a "scofflaw," "placing himself above the law," etc.

> One of Powell's most virulent and ancient enemies, the New York Times, then launched a crusade to have Powell unseated.
>
> Powell had been a special target of the Times' editorial page ever since his accession to the Chairmanship of the Education and Labor Committee.
>
> A confluence of acrimonious denunciations over a period of five years had helped to create a climate of widespread hostility toward Powell...The lavish reporting by the press of his statements and the excessive concern for his personal life had been equally vital factors in the white public's contempt and almost visceral animosity for Powell.[12]

As these events were transpiring, he was faced with a "revolt" by his Committee members, apparently over Powell's manner of handling legislative business, that led to the Committee adopting new rules preventing Powell from taking actions contrary to the will of the majority. This Committee action triggered an investigation by the House Administration Special Contracts Subcommittee of Powell's handling of Committee funds.

On January 3, 1967, Congressman Wayne Hayes, who headed the Contracts Subcommittee, issued a report charging Powell and some of his staff members with misuse of funds.

On January 9, the House Democratic Caucus stripped Powell of his chairmanship, an act which he described as "a lynching--Northern style."

On January 10, the opening day of the 90th Congress, Representative Morris Udall offered a resolution proposing to seat Powell pending the result of an investigation by a Special Committee--his rationale being that to deny Powell his seat before an investigation was tantamount to judging without a trial. This resolution failed.

House Minority Leader Gerald Ford then offered a resolution denying Powell his seat pending the results of a Special Committee investigation. This resolution was adopted.

On January 19, a Select Committee, chaired by Emanuel Celler, was appointed to investigate Powell and subsequently held a series of public hearings on the allegations of misuse of public funds and of being in contempt of court.

On February 23, the Celler Committee issued a report finding that Powell met Constitutional requirements for holding his seat, recommending that Powell be seated, but that he be censured, fined and stripped of seniority for his conduct toward the courts, his misuse of funds, and his refusal to cooperate with the Committee investigation.

On March 1, the House rejected the recommendations of the Select Committee and instead adopted a resolution incorporating the proposal of Thomas Curtis to bar Powell from membership in the 90th Congress.

Some members of Congress subsequently stated that while the recommendations of the Select Committee were sound, voting for expulsion was necessitated by the extraordinary volume of mail from constituents in favor of "throwing Powell out." One representative described the deluge of mail as part of a "violent and well-organized anti-Powell campaign," stating that there was no doubt in his mind but what "it was largely motivated by the notion that a Negro Congressman ought to be more circumspect, more humble and more 'grateful' than his white colleagues need to be. I submit...that whatever may be the motives of individual Members in this case, the effort to exclude the gentleman from New York could not have succeeded, and might not even have been attempted, had Adam C. Powell done everything he is accused of doing, but had he been--to coin a phrase--'less colorful.'"[13]

Chuck Stone, who was one of Powell's administrative assistants, has offered a different assessment. He speaks bluntly of "the political conspiracy to ruin Powell," naming as the protagonists President Lyndon Johnson, AFL-CIO President George Meany, Representative Frank Thompson, Representative Edith Green, Representative Sam Gibbons, and Sargent Shriver. Stone has in his possession, he says, "documents and memoranda from other political leaders which substantiate the existence of racism and political conspiracy"--a conspiracy between "certain newspaper reporters, Congressmen, labor leaders, political leaders and the White House."

One of the events that precipitated the conspiracy, according to Stone, was Powell's convening of a Black Power Planning Conference at the request of Stokely Carmichael, which led subsequently to the first National Conference of Black Power. Whatever rationalizations were offered for Powell's dismissal by white politicians, the white media, or the white public, writes Stone,

> ...Negroes almost unanimously believed that (his) refusal to "Tom" and to say "I'm sorry" for his imputed transgressions, and his early identification with the Black Power Movement were the real causes for his Congressional unfrocking. That his peccadillos were sanctimoniously held up by other Congressmen as responsible for Powell's exclusion was cynically rejected by Blacks--and

> many whites--who pointed to similar excesses by other Congressmen, all of which had been publicized in many national publications. But these Congressmen were white, and Powell was black.[14]

On March 8, Powell filed a lawsuit in Federal District Court to regain his seat in the House of Representatives.

On April 7, the Lawsuit was dismissed by Federal District Judge George L. Hart, Jr. on grounds he could not take jurisdiction in the case because of the doctrine of separation of powers. Powell then appealed to the Circuit Court of Appeals.

On April 11, a special election was held in Harlem to fill the vacant Congressional seat. Powell won re-election by a vote of 86% but the House leadership declined to schedule a day to reseat him.

On May 13, Powell asked the Supreme Court to hear an appeal from the District Court ruling in spite of the fact that the Circuit Court had not yet rendered an opinion. The Supreme Court refused.

On February 28, 1968, the Circuit Court of Appeals ruled against Powell's appeal of the District Court's decision.

On May 28, Powell again appealed to the Supreme Court.

On November 18, the Supreme Court agreed to hear the case.[15]

Eventually, the courts did return Adam Clayton Powell to the House. Nothing was able to return either his former stature or his spirit. He went into a self-imposed exile and subsequently lost his seat by 150 votes to Charles Rangel. He died at age 63 on April 4, 1972.

> Shortly thereafter, Ebony magazine editorialized:
>
> Adam's freedom had nothing to do with right or wrong, morality or immorality. No one can say that the personal life Adam lived should be a pattern for other blacks (or whites) today. Adam lived a controversial, often tempestuous life and he never seemed to give a tinker's damn about what other people thought of him. That black people should try to live as Adam lived is not what we are talking about...What we are really talking about is black and white, black people and white people, and it is as simple as that.
>
> Adam Clayton Powell was a black man who borrowed the book from the white man and learned it well. Adam, on the white man's terms, became a power in

government and a perennial thorn in the side of the white power structure while remaining a dashing hero to young blacks throughout the nation.

From the beginning, Adam Clayton Powell conducted himself in Congress as if he truly belonged there. Adam had a flair and an arrogance that made white folks dislike him. He showed a confidence among whites which grew out of his knowledge that no white man was better than him and few were his equal. Whites can sometimes forgive power in a black man who is humble in his strength and quiet in his victory. But Powell was cut from different cloth. Born to a life of ease and educated at the best schools and colleges, Adam grew to manhood knowing already that he was "somebody."

Perhaps the thing that bothered white folks most was the fact that, to all appearances, Powell was not a black man. His fair complexion, his straight hair, his manner of speaking and his middle class background, all told them that here was one of them. But then it came. His voice was lifted in support of black people and other minorities...He talked about black rights and black power. He identified himself as a black man and black pride ran through his warp and woof. ...Had Powell elected to be white, he could easily have been one of them. The fact that he chose to reject that whiteness and proclaim his blackness, even in those early days after World War II when blackness had not yet become "beautiful," made him suspect. He made it clear to them even then that black and white in this country went much further than skin color. It was a racist sickness that automatically made whiteness good and blackness bad and there could be no understanding of a man who rejected whiteness to glory in blackness...

In all his years in Congress, Adam Clayton Powell, Jr. made one grievous mistake. He was lulled into the belief that white Congressmen had accepted him into the fold. He knew that most of them were guilty of taking useless junkets on taxpayers' money, juggling funds, being absent for days on end, passing out patronage and doing gross favors for friends. Perhaps Adam thought that he had earned the right to do the same thing. But Adam had declared himself black and black congressmen did not have the same rights as white...

> On Adam's death, the New York Times editorialized that Powell, unlike the Rev. Martin Luther King, Jr., left no legacy to blacks. The Times, as did many whites, looked upon him as an irresponsible playboy. It just goes to show again that whites still have not learned about blacks. Whites see only the unacceptable in a man like Adam. They see the many marriages, the arrogance, the flaunting of accepted social behavior and they overlook not only the accomplishments of such a man but also the psychological lift he gives blacks simply because he, for so long, beat the white man at his own game. Or could it be that whites do recognize this psychological effect and wish to kill it?[16]

As is often the case with prophecies, too few persons recognized in the treatment accorded Congressman Powell, and in his own assessment of the situation, the message regarding events to come. Its significance was not sufficiently weighed; too little projection for purposes of planning and defending occurred. Today, in retrospect, the relationship between his fate and the contemporary problems of many Black officials is obvious. The case of Adam Clayton Powell was, indeed, a beginning. Ten years later, America is in fact embarked on a "journey of vengeful political repression." And the end is nowhere in sight.

Ingredients of Tyranny

> Not since Adam Clayton Powell has a black legislator been the focus of such controversy and investigation as faces William L. Clay.--St. Louis American, April 8, 1976.

> There are signs that those close to Clay are fed up, and that those who unthinkingly have given him blind support in the past know that they have been singularly unrepresented by the self-serving congressional charlatan. Clay enjoys the life style of an emperor while vast portions of his district lie in ruins. Through his neglect of important business and his nonattendance in general, Clay has failed to represent the people of his district. Because of his early record as a black militant, Clay has considered himself untouchable. At heart he is a reverse racist who attacks and undermines the constructive forces in the community while falsely claiming that all who oppose him do so out of bigotry.--St. Louis Globe-Democrat, March 13, 1975.

> ...We recommend the re-election of Representative Clay, Democrat, in the First District. In his four terms, Clay has compiled a solidly progressive record; he is the only major candidate in the four congressional races unafraid to describe himself as a liberal. Mr. Clay's office, to be sure, has not been without scandal...But, that issue has not been decided against the Representative and on his legislative record, we recommend Mr. Clay over his Republican opponent, Robert L. Witherspoon, a decent man with an honorable civil rights record, but who would be unlikely to adequately represent the needs of the First (Congressional District).--St. Louis Post-Dispatch, October 26, 1976.

The diverse opinions reflected in these comments from three different St. Louis newspapers argue strongly that attacks on Black officials are waged more on the battleground of perception than on the basis of truth or fact. The expressions of the perceptions held of Bill Clay by the St. Louis Globe-Democrat and various governmental agencies reflect more than untruths and falsehoods, however; they are highly suggestive of tyranny.

It does, indeed, appear to be the case that no Black official since Adam Clayton Powell has been so maligned as Congressman William Clay. Perhaps no other official has spoken out so pointedly and firmly to fight the attack being waged. No other official evidences so clearly the syndrome of "guilty until proven innocent"--and the near impossibility of clearing away the cloud of doubt once it has settled in. No other case so attests to the power of the media and the misuse of power by the Federal government--and to the limited resources for fighting back.

Congressman Clay is among those who have spoken out publicly charging "a national conspiracy to undermine and eliminate outspoken black leadership." He argues that, "Those who consider the charge of national conspiracy against black elected officials as silly must explain why 50 percent of all the Blacks in the U. S. House of Representatives are under investigation for criminal activity and not 50 percent of the White Representatives. Certainly, they are not contending that Black members as a group are more criminally inclined, less principled, more corrupt, less moral?"

The question that the Congressman asks rhetorically embodies precisely the charge that has been levied against him. In an effort to substantiate the charge, the media and the Department of Justice have accused him, among other things, of

- consorting with hoodlums;
- illegal trafficing in narcotics;
- padding his payroll;
- misappropriating campaign funds;
- falsifying travel records; and
- evading income taxes.

Now in his fifth term as a U. S. Representative, Clay served previously for six years as a member of the St. Louis City Council. He was, as well, an active participant in the Civil Rights Movement in the St. Louis community--and he traces the impetus for the assaults on him now to that involvement. "I think," he says, "the fact that I was on Nixon's enemy list had something to do with the decisions of Federal agencies to attempt to destroy me. The other problem is that I led the Civil Rights Movement in this town for some fifteen years, and I alienated all the important forces in the power structure. There is a great deal of hostility on their part toward me. I know that I am hated in certain circles by people who have the power and influence in the city--including the white business community. They have supported candidates against me from both parties, and the tenor of the Globe-Democrat editorials reflects the sentiment of the business community." The "tenor" of the Globe-Democrat is to characterize Clay as "the original Mr. Protest in St. Louis."

Having located the sources of attacks and the motivation for attacks, Congressman Clay recites at length the specifics of the tactics employed against him. The recitation is delivered in a precise, measured, largely intellectual manner, with surprisingly little expression of emotion. Except, listening carefully to his speech pattern, one notices that he periodically falters--and that that occurs when he is reaching for an adjective to describe his experiences. Waiting for him to resume speaking, one has the impression that he is--ever so carefully, so as not to disturb the protective shell of shock that prevents his being engulfed by feeling--plunging down into the core of his being, into a swirling caldron of molten rage and excruciating grief, straining to bring to the surface a word graphic and powerful and evocative enough to describe what is indescribable. On reflection, one senses that the control is nothing less than the alternative to uncontained fury. The words that he does find seem mild indeed, and hardly adequate, when one ponders the import and the implications of the events that have transpired.

He speaks, for example, of the "tremendous amount of intimidation and embarrassment" to which he has been subjected as a result of incidents such as one which occurred in 1974. The day before the 1974 election, a photograph of Clay with two other individuals, who had long criminal records, was printed in the Globe-Democrat with the caption "Hoodlum Associates of Congressman Clay," and with a lengthy endorsement of Clay's opponent. The implication was that hoodlums were involved in attempting to get Clay re-elected to office. The facts were that the photo, along with some 400 others, had been taken seven years previously at an annual Ward Christmas party by a commercial photographer retained as a fund-raising device; that one of the individuals in the photo had been dead for three years, and the other had been in prison for the past two years.

This incident is typical of the effort on the part of the local media to smear Clay's reputation and defeat his reelection bids. However, as Clay points out, the "war that the Globe-Democrat has waged against me in an attempt to destroy my credibility and effectiveness as a leader" did not start in 1974; it has been fifteen years in duration. But the "war" was bolstered that year when "the conspiracy spread to include the Drug Enforcement Administration, the U. S. Department of Justice, the FBI, and the Internal Revenue Service."

In mid-1974, Clay began hearing rumors that his name was going to be introduced in a narcotics trial. He began writing letters of inquiry to the U. S. Attorney General, seeking to forestall such an action. But on December 10, 1974, a brief submitted in Federal Court by the St. Louis Task Force on Crime did, in fact, contain the name of a William Clay. In his opening statement, the Chief Prosecutor of the Crime Task Force, Liam Coonan, announced that he would prove, among other things, that William Clay had met with an undercover agent and arranged to sell narcotics to the agent. Within hours, the St. Louis papers carried banner headlines that Congressman Clay was allegedly involved in narcotics. The balance of the article detailed the case against the defendant, former Missouri Representative John Conley, Jr. But the headline was reserved for Congressman Clay.

"How they (the Globe-Democrat) assumed that the William Clay mentioned in the brief and Congressman Clay were one and the same," observes Clay, "was beyond me...But there's no doubt that the Special Task Force prosecutor was referring to me because in subsequent statements he issued, he made it clear that he was talking about Congressman Clay. Furthermore, a high-level official of the Department of Justice, in response to my letter of complaint, claimed that he had documented evidence that I was the William Clay referred to in the trial and that I had been involved in the illicit traffic of narcotics."

However, during the entire proceedings of the trial, no evidence was offered by the prosecution that Clay had done anything by way of violating the laws or control of illegal narcotics. His name was never brought forth, except on one occasion when the attorney for the defense asked one of the supposedly Federal undercover agents what role William Clay had played. The agent's response was that he had met with Clay and two other individuals during the fall of 1972, and that either Clay or one of the other individuals present made some statements to the effect that, "If you don't have any money, we can't sell you any narcotics."

The government witness in question, who was initially responsible for introducing the name of Clay into the case, was, according to Clay, a $100 a week paid informer, a convicted felon who has been involved in various narcotic crimes. Curiously, although this was the third trial of the defendant on the same charges--the first trial having ended in a hung jury, the second in a conviction and reversal--it was the first trial in which Clay's name was introduced. The judge in the trial, Federal Judge James Meredith, apparently found the sequence of events more than a little curious. After the trial, Judge Meredith reportedly called Prosecutor Coonan into his office and severely reprimanded him for injecting the name of a Congressman into a narcotics trial without offering any evidence in the case to substantiate the nature of the alleged involvement. The judge noted that had the jury had access to the newspapers the first night of the trial, he would have been obliged to declare a mistrial. He further reportedly advised Coonan that if he ever conducted himself in such a manner again, he would bar him from trying any case in his court as long as he sat on the Federal bench in that district.

Clay, however, was not inclined to even afford Coonan a second such opportunity. Characterizing the inclusion of his name in the brief as an "utterly improper and reckless act" and asserting vehemently that if he were a potential witness he should have been contacted and questioned, he filed a motion of impeachment to have Coonan removed from his position as prosecutor of the Crime Task Force. But no punitive action was taken against Coonan. (The St. Louis Task Force has, however, since been abolished.)

Clay also undertook to have his name cleared by the Department of Justice. After thirteen months, eleven letters to Attorneys General Saxbee and Levi, and repeated phone calls, however, he still had not received a substantive response. Rather, recounts Clay, "In flagrant and total disregard for what I consider my constitutional rights of citizenship, and my legislative responsibilities as a U. S. Congressman, various sections of the Department of Justice began conducting a witch-hunt against me. It appeared that the recent, overzealous activity of Department of Justice agents was and is designed to create or manufacture, if possible, a case involving me in the illegal trafficing of narcotics."

Eventually, Clay enlisted the aid of other members of Congress, 84 of whom signed a letter to Attorney General Levi demanding that he: 1) admit or deny that the William Clay referred to in the case was Representative Clay; 2) explain why, after one year of offering to answer any questions, Congressman Clay had been totally ignored; and, 3) conduct a full and thorough Grand Jury investigation of the allegations if there existed any credible evidence.

The result of this letter was the scheduling of a meeting with Attorney General Levi, attended by Bill Clay, House Majority Leader "Tip" O'Neill, and Representatives Barbara Jordon, Louis Stokes and Charles Rangel. At this meeting, Clay again requested a full-scale investigation, not only of the initial narcotics allegations, but of other accusations as well that had been made in the intervening time-period. Attorney General Levi concurred that such an investigation was warranted. After the investigation was completed, Attorney General Levi sent Congressman Clay a letter completely exonerating him of any wrong-doing in the narcotics matter.

By this time, however, banner headlines and repeated stories and editorials had been playing in the St. Louis newspapers for over a year that virtually convicted Clay of being a dope dealer. It seems not unreasonable to surmise that the intent of Prosecutor Coonan, knowing he had no legal case, was to try Clay in the newspapers. The _Globe-Democrat_ happily complied. Says Clay, "I believe there was a conspiracy between the U. S. Prosecutor of the St. Louis Crime Task Force and the St. Louis _Globe-Democrat_ to defame my character and perhaps to destroy my political career."

Not surprisingly, Clay reserves some of his choicest adjectives for the publisher of the _Globe-Democrat_ and the Crime Task Force Prosecutor. Of Liam Coonan, he says:

> I think it is reprehensible for a prosecutor to prostitute his oath of office, bring shame to the Department of Justice, and cast doubt on the impartiality of the system of justice--which is what Coonan did when he attempted to frame me on trumped-up charges.
>
> I use the word "frame"--which is a harsh word--because there is no other word in the English language which is more descriptive of the vile, unconscionable act of this despicable employee of the so-called Department of Justice.

> Such an individual is a menace to our society. Certainly, he is too unscrupulous to be in the sensitive position he now holds. As a result of his injecting my name into a narcotics trial, and implying that I was involved in some manner in the illegal trafficing of narcotics, I have been maligned across this country. I've been the subject of many, many newspaper articles and television programs. I've spent over eighteen months in an effort to clear my name of this unjust accusation.

That Clay's anger is justified is further attested to by the fact that he was told that Coonan had talked with a man awaiting trial and had offered him leniency if he could implicate Clay in any illegal activities.

Nor is Clay alone in his appraisal of Coonan. He recounts various responses of other attorneys to the incident. The former Chief Counsel of the Senate Watergate Committee, Samuel Dash, issued a statement saying the Department of Justice may have violated Clay's constitutional rights. Dash, now a professor of law at Georgetown University, offered the opinion that inclusion of Clay's name in the case was improper and an abuse of prosecutorial discretion, that the act amounted to accusing Clay of a crime without providing recourse to due legal process. Said Dash, "It is a poor prosecutor who maligns an individual, when he does not have evidence of culpability to support his charges." An Assistant U. S. Attorney volunteered, "It was not wrong legally, but it may be wrong morally. Obviously, the guy who did it was not too sophisticated."

Offensive as were the actions in this case by the Crime Task Force and the Department of Justice, it is important to point out that the sequence of events in this incident actually represented a departure from the more typical pattern. Clay makes the observation that, "The Crime Task Force, the Department of Justice, the Internal Revenue Service and the Globe-Democrat have an on-going working relationship." But in this case, "It was the Crime Task Force that took the initiative of putting my name in a position where it would be construed that I was involved" in wrong-doing, whereas "the pattern seems to be that the media initially makes allegations which are unsubstantiated and goes to print with them. Then, based on those charges, the Department of Justice issues a press release announcing publicly that I am under investigation."

Even before the narcotics issue was raised, Clay was being charged by the Globe-Democrat, beginning in July 1974, with padding his payroll, paying friends and associates who were allegedly ghost employees, and using his staff for political campaigning. In this instance, Clay himself insisted on a complete investigation and voluntarily made available all of his records to substantiate his claim of innocence. As a result, his office was subjected to a seven-month Grand Jury investigation of eight staff members. Clay, himself, appeared before the Grand Jury on four separate occasions, providing over a dozen hours of testimony. No evidence was produced to substantiate the charges. However, in the course of the investigation, evidence was found that an administrative assistant to Clay had placed one person on the payroll who for two years had received funds while doing no work. The assistant subsequently pled guilty to charges of fraud. Before the investigation was completed, at least 100 persons had been brought before the Grand Jury, including all of Clay's present and former employees over the preceding seven-year period. Upon the conclusion of the investigation, the Grand Jury issued a statement completely exonerating Clay of any wrong-doing.

This issue, however, had lingered over more than two years, and the newspapers, again, missed few opportunities to keep the matter before the public mind. And, even before either the payroll issue or the narcotics issue had been resolved, The Globe-Democrat succeeded in sparking yet a third investigation--this time revolving around misuse of campaign funds.

In July 1975, the Globe ran a front page article charging Clay with failing to report labor union contributions. The Department of Justice immediately announced a criminal investigation of the Globe charges. The day after this announcement, the Globe ran a nationally syndicated article that he was under investigation, implying that he had stolen money or diverted political money for personal use. Clay promptly called the Department of Justice, suggesting that if there were going to be an investigation, it ought to start in his office. The Department sent two FBI agents to his office. Asked by Clay if their investigation was based solely on the Globe-Democrat charges, the agents expressed denial and indicated they had obtained records of his contributions from the House Clerk. At issue, they said, were contributions from nine labor unions that he had failed to disclose. At that point, Clay took a copy of the records which the agents had brought with them and proceeded to point out that, in fact, every contribution in question was appropriately identified in the report. Clay further contended that the funds in question were not technically subject to reporting anyway, inasmuch as they were paid into his office expense account and were not for campaign purposes. This interpretation of the law was upheld by the Federal Election Commission. A presumably appropriately embarrassed Department of Justice closed the investigation. Congressman Clay received another letter of exoneration from the Attorney General shortly thereafter.

A few months later, in March 1976, an article by Jerry Landauer, staff reporter, appeared on the front page of the Wall Street Journal headlined, "How A Congressman Billed Government for Phony Travel." That the headline itself rendered a verdict of guilty was only the first symptom of bias in this newest attack. The article accused Congressman Clay of falsifying travel records and defrauding the government by requesting reimbursement for mileage for trips to his home district from Washington, while also claiming air fare during the same time periods for trips to other cities. The "news article" was written more in the style of an editorial, using inflammatory and derogatory phrases in describing the Congressman's activities. The charge was syndicated nationally and appeared in newspapers across the country the same day it appeared in the Wall Street Journal; the story was carried on all three national television networks that evening; and, of course, it received prominent coverage by the Globe-Democrat. Clay feels strongly that this timed and coordinated coverage of the charge was a deliberate and conscious "plot".

Five weeks later, on April 30, 1976, the Wall Street Journal carried a second article accusing nine other members of Congress--all white--of similar abuses of travel procedures. This article, containing the same charges, written by the same reporter, appearing in the same newspaper as the one about Clay, was devoid of the editorial tone, was not syndicated, and did not receive the widespread national play. It was back page news in the St. Louis papers, although four of the nine newly implicated members of Congress were from the St. Louis area.

Shortly after the article on Clay appeared, a law student who read the newspaper report filed suit against Clay under an 1863 statute permitting "any citizen to sue a Federal official in the name of the United States for knowingly making false claims against the government." Clay challenged the case on grounds that a 1943 amendment precluded citizens filing suit solely on the basis of information obtained from news sources. Nevertheless, the suit was amended by the Department of Justice, with the added allegation that Clay owed the Federal government $186,000 for false and fraudulent travel expense reimbursement claims. No legal action was taken, however, against the nine white members of Congress.

"To briefly elucidate on the double standard of justice," summarizes Clay, "ten members of Congress were accused of a crime--one Black, nine White. The one Black member found himself on trial defending himself, when the other nine had not even been interrogated by the Department of Justice or FBI." Clay notes as further evidence of the dual standard the fact that when suits charging payroll fraud were brought against Congressman Wayne Hayes and Elizabeth Ray, the suits were dismissed because they were founded solely on articles printed in the Washington Post. In this case, the Department of Justice argued precisely the opposite of what it had argued in Clay's case.

The entire travel issue, in Clay's opinion, was "overdramatized, exploited, and unfair--especially in the way it was handled by the Globe-Democrat and the Justice Department... And it was based on the racism that exists in the relationship of the government and the press toward Black elected officials."

Before this issue was resolved, Clay had produced records, plane tickets, affidavits and credit card receipts on all but 17 of the 89 trips in question and 97 trips paid by personal funds to verify the validity of his claims. The Justice Department, according to Clay, conceded that, on these trips, he had substantiated beyond a doubt that his travel claims were accurate and valid. The Justice Department, "in desperation," as he describes it, approached him for an out-of-court settlement of $1,754. Considering that he had already expended $3,000 in attorney fees, and recognizing that pursuing the case would cost more in defense expenditures than the settlement, Clay agreed.

Clay attributes the Justice Department's expressed urgency in settling the matter to the fact that the other nine members of Congress had paid back what appeared to be discrepancies between air travel and mileage claims, and the Justice Department wanted to be able to announce at one time that all ten members had made restitution. He also presumes that the fact that they sought him out--rather than the other way around--was an indication that they had no evidence of wrong-doing. Further, he suggests that the amount they settled for indicates "there was a conspiracy on the part of somebody to give the impression to the general public that I had defrauded the government of thousands of dollars." Notes Clay, "The amount settled for comes to about $20 a month over my eight years as Congressman. I doubt that any member of Congress would scheme or plot to deprive the government of $20 a month."

Shortly after this issue was resolved, the Globe-Democrat wrote an editorial suggesting that the IRS ought to investigate Clay's income tax returns. Clay was notified by the Internal Revenue Service a month later that he was under criminal investigation. Clay observes that in 32 years of filing tax returns, he has never had a single civil audit. Yet, he was subjected to a criminal investigation, which, if leading to conviction, would result in imprisonment.

A subpoena was issued for all of Clay's Congressional records. Clay's attorney challenged the subpoena in court on grounds it was illegal inasmuch as Clay was not under investigation by any Grand Jury. The judge then contacted the U. S. Attorney, asking that the request for the subpoena be withdrawn. Subsequently, a Grand Jury was impaneled and a subpoena again issued--this time to Congress itself. Congress denied the subpoena on grounds that the charges against Clay were unspecific and that the subpoenaing of all his records constituted a witch-hunt. Based on the claim of the Justice Department that it was investigating through the St. Louis Grand Jury, Clay agreed to release his records. But then he learned that the records were given to the IRS, and filed suit on grounds that the act violated secrecy of the Grand Jury. In July 1977, the Department of Justice announced that the case against him had been terminated and that no indictment would be forthcoming.

In a spill-over effect, though, Clay reports that, "Approximately fifteen members of my immediate family and closest friends have been investigated by the IRS. They have been forced to submit themselves to intensive harassment and interrogation and in some instances have been required to pay back petty sums of one or two hundred dollars. All of my close associates politically have been subjected to the same kinds of harassment and are under either criminal investigation by the St. Louis Police Department or under close scrutiny by the IRS."

Various other charges have been levied against Clay, such as placing relatives on the payrolls of other politicians. Many of these charges involve practices that have long been common procedure for all members of Congress. The question raised, points out columnist Carl Rowan, is "whether the making of such charges is a standard way to get rid of powerful or abrasive blacks by indicting them for doing things that are standard practice for white Congressmen."

It is certainly a readily accessible tactic, particularly for the media. In an America where the printed word is construed as fact, destruction of a political career can be but a headline away. A superb example of the skillful use of the tactic is found at the St. Louis Globe-Democrat, where it has been wielded most notably by reporters Dennis McCarthy and Steve Higgins and publisher G. Duncan Bauman. Of this publisher, Clay says:

> I think its frightening to see the kinds of power that a racist bigot like Duncan Bauman holds in this community. He's not only intimidated the public officials, but he has intimidated the moral community to the extent that the high-ranking

> leaders of the religious community are so afraid of him they fall all over themselves to appease him and to get into his good graces.
>
> I think it's disgraceful that the Archbishop of St. Louis, the heads of the Protestant Church, and the rabbis in this town would permit themselves to even be in this man's company. He is dictatorial, he advocates repression and oppression, he has no sympathy for the poor and the Black, he is opposed to the Federal government assisting the needy... This man stands for everything that the moral leadership are supposedly opposed to, and he is opposed to all the things that they should be supporting.
>
> The man is a degenerate, and the way he has used the power of that newspaper to intimidate, I don't see how any person who purports to represent decency and honesty would be seen in his company...

The resources for fighting back against such abuse of power as the Globe-Democrat represents are very few indeed. The paper takes free rein in initiating and publishing allegations. Little, if any, prominence is given to findings of innocence--either by the press or by the Department of Justice--when the Congressman is exonerated of charges. Initially, Clay's staff challenged the papers to provide fairer coverage, but it made no difference with the Globe-Democrat. As one aide remarked, "Those friends we had in what we called the enemy newspaper were not permitted to publish correct information when it was given to them."

Clay, at one point, filed a $12 million libel suit against the Globe-Democrat in Washington, D. C., which was dismissed for lack of jurisdiction. He filed a second suit in St. Louis for two million dollars, in August 1976. But he is not optimistic about the outcome. "The press has so conditioned the public in this town," he says, "that I think the average juror believes that an indictment is proof of guilt or that a story in the newspaper about an elected official is proof positive."

Clay receives consistently fair coverage from most of the Black media and much fairer coverage from the Post-Dispatch than the Globe-Democrat. Clay goes to inordinate lengths to keep his constituency informed, speaking before large audiences at every opportunity, and issuing press releases and news bulletins. And he has a solid base of supporters both Black and white, who speak up emphatically on his behalf whenever charges are raised against him. As a consequence, he is repeatedly re-elected to his Congressional seat by wide margins.

This circumstance introduces the one primary break in the otherwise well-organized support in the business community for the stance of the Globe-Democrat. Says Clay, "There is a division in the business community that says we need peace in this community if we are going to make a profit. Some of them are saying that these petty and ridiculous attacks on me lead to the kind of disharmony in the community that hurts business."

That position is clearly not the majority opinion. All indications are that the conspiracy against Bill Clay remains intact, and it is the interlocking nature of the various elements in the attempt to eliminate Clay that is most resistant to all his efforts to defend himself.

Clay expounds at some length on the matter of conspiracy. He says, for example, "I suspect that a lot of media people are on the payroll of the U. S. Government. I suspect that especially here in St. Louis. I think that the Globe-Democrat has so intimidated the power structure in this city that they can demand anything they want of any of the public agencies in this town."

Clay was supported in his appraisal of the attacks on him by then Chairperson of the Congressional Black Caucus, Yvonne Braithwaite Burke, when she charged that the Wall Street Journal "apparently has joined in what is looking more and more like a conspiracy between certain Federal agencies and some elements of the media to undermine the integrity, and ultimately the effectiveness, of black leaders."

Asked by a reporter at a press conference whether the three years of investigation by the Department of Justice constituted harassment of Congressman Clay, Attorney General Levi reportedly replied, "Well, I hope not." But, in a meeting four months later with Representatives Clay, Burke, Conyers and Stokes--a meeting called by the Congressional Black Caucus to discuss dual standards of justice applied to Black members of Congress--the Attorney General admitted, according to Clay, that most of the investigations of him were based on irresponsible charges made by the St. Louis Globe-Democrat. Attorney General Levi further admitted, says Clay, that it had cost the U. S. taxpayers hundreds of thousands of dollars to investigate all the irresponsible and cheap accusations.

Recollects Clay, "I, in turn, informed him that because of these Globe accusations, the Department of Justice apparently felt a need and a responsibility to reward the reporter who had made the accusations... He was stunned. He didn't understand what I was saying. I informed him that one of the reporters who made all of the untrue accusations against me had within the past weeks been hired as an Assistant U. S. Attorney in the St. Louis Federal District."

Small wonder that Bill Clay is moved to speak of "a sinister, callous and calculated move to discredit me in the eyes of my constituents and the public-at-large."

> I think it by conspiracy. I think it is by design. I think there are certain people in the media or in the government who decide that a particular individual has to be destroyed.
>
> My personal belief is that there is an effort on the part of certain elements in the business community and the media of St. Louis, combined with certain elements in the Federal government, to break me financially. All of these charges and accusations and Grand Jury investigations, in just nine months, cost me $14,000 in legal fees. Even with my salary, based on the take-home pay, I can't continue to pay these kinds of attorney fees and take care of my family and fulfill other obligations that I have.
>
> The motivation for all of this, in my opinion, is that I live in a racist community that is primarily controlled by four or five individuals who have immense power, who have the ability to intimidate and to instill fear in the total community...

Is that not the meaning of tyranny?*

On Gentleness and Wolves

A sign in the office of George L. Brown, Lieutenant Governor of the State of Colorado, reads, "There are men too gentle to live among wolves."

If one Black elected official were going to be selected as a target for attack and vilification on grounds of vulnerability with regard to dishonesty, lack of integrity, insensitivity, incompetence, or lack of commitment, surely George Brown would be among the poorest of candidates. Perhaps it is for just that reason that he has become one of the victims. Wolves--at least the two-legged variety--are reputed to be irresistibly drawn to the authenticity of a gentle spirit, and unable to resist attack.

It is a spirit reflected in his every word and deed. As an eloquent orator, an astute politician, a university teacher, a social analyst and philosopher, a tireless advocate for reform of the educational system and for the creation of a justice system, his fundamental belief in the dignity and sacredness of each human being is consistently and lovingly affirmed.

Viewing him as such a man, the accusations made against him take on an aura of profound irony, even tragedy.

A second, lesser irony in the case of George Brown is that he is himself--by training, profession and experience--a journalist. As a reporter and night city editor for 15 years with the Denver Post, he covered historic civil rights events in the South, including the Birmingham Demonstrations and the Selma to Montgomery March, writing of these events in a deeply touching and moving way that earned him numerous journalistic awards.

But his participation in the Movement was never limited to observation. Long before his appointment in 1969 as Executive Director of the Metro Denver Urban Coalition, he was actively involved in the Civil Rights struggle, assisting, among other things, in the organization of CORE chapters and serving as a primary coordinator of the Colorado contingent for the August 1963 March on Washington.

And his Civil Rights commitment was consistently integrated with and reflected in his activity as an elected public official. Appointed to the Colorado House of Representatives in 1955, he was the very next year elected to his first four-year term in the Colorado State Senate. For the next eighteen years, he was the chief sponsor of numerous bills in the Colorado legislature dealing with human rights and was the first Black to serve as a state legislative committee chairman, having chaired the Senate's State Affairs, Appropriations and Finance Committees. His contributions have extended to the national level by virtue of his positions as a member-at-large of the Democratic National Committee and Chairman of the Black Caucus of the Democratic National Committee.

With such a record, his foes have had to dig and scrape to identify issues on which to base their attacks. The issues have often been flimsy and petty; they are, for those characteristics, all the more reprehensible.

Lt. Governor Brown's lengthy tenure in the State Senate was relatively unmarred by criticism until the beginning of this decade. Then, an incident occurred which has led to attack after attack.

A Black State school official became involved in a dispute at a service station in Colorado Springs when the attendant refused to accept his State credit card for payment of his gasoline bill. The white attendant shot and killed the official, subsequently claiming that he had been attacked. The attendant was also a serviceman; he was immediately transferred, and never appeared before the investigating Grand Jury, which returned a finding of "no wrong doing."

As a result of this incident, and the manner in which it was handled, a meeting of concerned Black citizens was called in Denver to address the issue. Because feelings were running so high, then-Senator Brown was asked to chair the meeting as the only person who would be able to keep the meeting calm and direct it into constructive activity. Because of what the meeting participants considered to have been biased coverage of the incident by the media, they asked for the white press not to be admitted. As chairperson, it became Senator Brown's task to inform the press that the meeting was closed.

Apparently angered by this turn of events, the Rocky Mountain News printed accusations that Senator Brown presided over a meeting where Blacks "cheered lustily" when calling for death to whites and that the Senator incited their actions. No mention was made of the Senator's efforts to bring some positives out of the negative incident--such as the recommendation that came out of the meeting to approach the oil company involved and ask that a scholarship be established for a Black student in memory of the slain educator. The charges that were printed resulted in Senator Brown filing a libel suit against the paper which eventually went to a jury trial. During the trial, Black leaders who held responsible positions in the Denver community testified that they had been present and that the Rocky Mountain News coverage was erroneous. The trial resulted in a hung jury, with the lone hold-out later reputed to have remarked that he "wouldn't vote to award that much money ($500,000) to a Black man."

Since that time, the Rocky Mountain News has continued to run stories apparently designed to discredit Brown. And since his election as Lieutenant Governor, his former employer, the Denver Post, has gotten into the act as well.

One of the more recent episodes reads as if from the same script as the incident that resulted in the libel suit.

Lt. Governor Brown, on a Sunday evening, flew into Denver from Washington, D. C., picked up the State car assigned to him, and, finding the gas tank nearly empty, pulled into a service station about 20 blocks from his home. (His egalitarian approach to life resists exploiting certain benefits of office--including utilizing the services of the assigned Highway Patrol driver--which might be listed among his vices.)

The service station attendant filled the gas tank and the Lt. Governor handed him his State credit card. The attendant took the card, went inside, then returned in a few moments, asking the Lt. Governor who he was. Governor Brown explained, whereupon the attendant stated that his supervisor had refused to accept the card because they didn't know who he was. Governor Brown asked the attendant--with characteristic calm and dignity--if he would go back and speak to his supervisor again, at which point the attendant indignantly told the Lt. Governor that he was not his "errand boy." The attendant departed, mouthing epithets--among them, "Black S.O.B."--directed at the Lt. Governor.

As the Lt. Governor later recalled, "I was not angry. But I was irritated. I started to go inside and speak to the supervisor myself. But then I remembered the other Black State official who had gotten involved in a similar dispute and been killed. I decided I wasn't anxious to be shot. So I got in the car and I drove home."

The station attendant signed a police complaint protesting nonpayment. The next day, the Denver Post and the Rocky Mountain News both carried news items on the incident, accusing him of theft and reminding the public that their Lt. Governor was untrustworthy. The items raised questions as to why the Lt. Governor was buying gas so far away from his home at 11 p.m. on a Sunday night, implying that there was something mysterious and perhaps devious about his behavior. Governor Brown's response: "There aren't any service stations open that time of night closer to where I live. Besides, I thought I was free to go anywhere in this city I wanted." Clearly, it is not yet safe for a Black man to make such assumptions--even if he happens to be the Lieutenant Governor of the State.

The manager of the service station, on learning of the incident, apologized to the Lt. Governor, indicating that the incident was a "misunderstanding." Newsmen, however, in interviewing Governor Brown, had asked if he had ever had difficulty before at that station. He indicated he had, and that he had heard of other minorities being mistreated there. The newsmen, based on that statement, constructed a story that the Lt. Governor was participating in a State investigation of service stations, and in fact had gone to that particular station that particular night in an investigatory capacity. The newsmen called the manager of the station, relaying this information which they themselves had constructed. The station manager then withdrew his apology.

Governor Brown, in discussing this incident, graciously offered that, "It hasn't been all bad. I did get good press coverage today from Colorado Springs and Pueblo on a speech I made yesterday. And people have told me they know that the Denver papers are just 'out to get me.' So it isn't all bad." Then adding with a note of disbelief in his voice, "But they actually wrote an editorial about that incident."

His tenure as Lt. Governor and, indeed, his campaign for that office have been, it seems, one long "incident."

When he announced his candidacy for the office of Lieutenant Governor, his Urban Coalition office was broken into and set afire in an obvious attempt to cover up the rifling of files and papers, the intruders presumably having been in quest of material to use against him in the campaign.

While he was campaigning, Brown made an appeal for parole of an individual named Ralph George, a person who happened to be a long-time acquaintance. Consistent with his conviction that "rehabilitation in a prison is an impossibility," Governor Brown frequently, and as a matter of course, makes such appeals, testifying at hearings, and arguing for probation and parole rather than imprisonment. On this occasion, his involvement was brought to the attention of the press and given coverage far in excess of the significance of the act, and in a manner highly critical of Senator Brown. The accused was subsequently sentenced and confined to prison.

The former Director of the Division of Correctional Services, who served in that position while Ralph George was imprisoned, has expressed the view that he should never have gone to prison; that no white person charged, as he was, with a white-collar crime would have been treated in that manner. He has further stated emphatically that in his opinion the entire incident was played up purposefully to "get" Senator Brown; that the motivation was simply that he was Black; and that a stiffer sentence than might normally have been the case was imposed by way of justifying the viciousness of the attacks on the candidate for Lieutenant Governor.

The validity of Brown's position, and the far-reaching consequences of such malicious harassment, is symbolized tragically in this particular case. Three months after being released from prison, Ralph George suffered a crippling stroke. It is commonly acknowledged that the stroke was precipitated by the stress endured during the period of imprisonment.

In spite of such incidents--in spite of widespread disbelief that he could attain the second highest office in a State with a mere three percent Black population statewide--his election campaign was successful. Whereupon, the Rocky Mountain News editorialized, "For Colorado voters: A hearty well-done for remaining calm upon hearing they had elected a black lieutenant governor."

Then, much as had been the case during the turbulent days of militancy in the 1960's when he acted as a mediator among social action groups and the tense, violent days of the implementation of the Denver school desegregation plan, Lt. Governor Brown became the recipient by mail and by phone of ugly warnings and threats on his personal safety. On inauguration day, an anonymous phone caller warned, "You might be sworn into office, but you will never serve as the State's Lieutenant Governor."

In contrast, the Denver Post apparently speculated on the possibility of his serving as governor and accordingly editorialized, on the occasion of one of Governor Dick Lamm's mountain climbing expeditions: "We presume the opportunity to fall exists and we can imagine the consequences to Colorado if such a fall took place."

The lengths to which the media will go in an attempt to pin something on the Lt. Governor were demonstrated by an investigation conducted in connection with a report of a "George Brown" having taken a mortgaged car out of the State and selling it. A Rocky Mountain News photographer was sent to every auto dealer in Denver asking if Lt. Governor Brown had committed this offense. The investigation proved the charges to be baseless; but the questions raised doubts in the mind of every person queried.

Eventually, any incident that holds potential for having been one of harassment becomes cause for question--such as when Governor Brown's car was broken into and his papers stolen.

Some incidents constitute harassment in consequence if not intent--and they arise out of the most innocent of circumstances, such as when one sincerely expresses a patriotic sentiment.

Speaking at a lieutenant governors' conference in Alabama, Governor Brown reflected out loud on the capacity of this nation for change, voicing praise and pride--a not usual stance for one compelled by his convictions to point out his country's shortcomings. In making this positive observation, he used what was to become an unfortunate analogy.

Recalling his days in the Air Force when he was stationed in Alabama, he described an incident of which he had knowledge that involved a pilot who, after crashing, was removed from the wreckage of the plane by a local farmer, chained in a barn, and branded on his chest with the letter "K".

The story was picked up and printed in papers across the country as if Governor Brown were himself that pilot. Attempts to correct the version as reported only met with increased negative publicity. The consequence was the creation of considerable disenchantment among many of his home constituents. Completely lost in the media coverage was the positive point that he was making: That Alabama--indeed, the country--was no longer what it had been in the days when such an incident could occur. Instead, a climate of receptivity was created in his own State to new charges against him.

Shortly after the Alabama incident, the local newspapers were full of accusations--based on travel vouchers leaked to the media--that he had illegally used State funds by charging the State for personal travel expenses.

In this case, there was no question as to whether the incident constituted harassment, and it was not only in consequence, but in intent as well. Not content to report on issues related to the question of travel expenses, reporters dug furiously into Brown's private life, finding in court records occasions of default on personal financial obligations. These discoveries were reported in detail, substantiating, by innuendo, the plausibility of theft of State funds.

In fact, scrutiny of the travel vouchers had been triggered when Lt. Governor Brown, himself, less than six months into his term in office, concluded that the accounting system he had inherited was inadequate, and implemented a new system designed to reduce vulnerability to just such charges.

But without even consulting the Lieutenant Governor, the Governor reacted to the news items by asking the District Attorney for an investigation. The District Attorney, in response, promptly initiated a Grand Jury investigation.

Lt. Governor Brown, himself, issued a statement in support of such an inquiry: "Because there is a question of violation of State law in the handling of travel vouchers by my office, I welcome an immediate investigation and resolution."

As Governor Brown later described the incident: "My office used a voucher procedure from February (1975, when he took office) to June that was not only recommended, but authorized by, a State auditor who was auditing the accounts of the last Lt. Governor. On June 30, I was told of the procedure; on July 1, because I felt that it wasn't the procedure I wanted, we changed it. On September 11, many weeks later, someone in the media reported on that earlier procedure and some folks immediately tried and convicted me and my office; some within the communications media immediately questioned our credibility; others demanded that I resign."

The Grand Jury eventually concluded that the old system--one which provided for charging personal expenses to the State and then reimbursing--was standard procedure for top State officials, as it had been in previous administrations. The Grand Jury voted not to indict.

Throughout the incident, with rumors rife, mutterings of resignation and impeachment rampant, and reporters providing eager up-dates like hounds moving in for the kill, other Black elected officials stood behind Governor Brown, as did a local NAACP Chapter, with press releases and resolutions of support for the Lt. Governor and of castigation of the press for introducing personal, peripheral information that had no bearing on the case.

But his credibility in the public mind suffered even further damage, and the media has not been of a mind to rectify their wanton impugning of Governor Brown's character. On the contrary, a Black journalist with the Denver Post has remarked that stories written of a positive nature about Governor Brown are summarily killed, suggesting that the management policy of the Post is to destroy him not only through negative coverage, but by the absence of coverage when coverage might show him in an advantageous light.

The Lt. Governor's responses to the travel voucher incident were varied. First was his own confident request for an investigation, made in the security of his innocence. Second was an attack of severe chest pains that put him in the hospital. The stress of innocence and false accusation clearly seeks its own mode of expression. But his determination never faltered, even if couched in a tone of fatalism During the time the charges were under investigation, Governor Brown remarked, "Ain't nobody going to turn us around. We're moving ahead, confident that we're going to win this one, that we're going to win the next one, and the next one, and the next one...and the next one..."

"The reason I list 'the next one, and the next one,'" he said, "is that I am well aware of the fact that my next three-and-a-half years in office are going to be like the first six months: Constantly harassed, constantly subjected to attempts to discredit me."

In reflecting on his reactions to the attack, he recalls: "I at first was a little shocked at the reaction of some folks when they heard of my situation and when I told them about the situation with DeLores Tucker, for example, who is Secretary of State of the State of Pennsylvania, and how they had attempted to use a travel voucher situation on her, too. I was shocked because there were folks who said to me, and who said to friends of mine who came to help in my case, 'Let him drown. He must be wrong.'"

"Well," he observes, "I shouldn't have been shocked. I should have remembered the advice of my grandfather, who used to tell us kids that, 'You just got to watch out for some folks, 'cause some folks just got snake natures.'"

Continuing, "There's been some of the 'snake nature' reaction, and a lot of hate and bitterness that's been directed at Black elected officials--and I can say, toward me, too. When my situation became public, the next day one of the first telephone calls that I received in the office was from a man who--obviously--refused to leave his name, who told me that I'd better be careful when I went to lunch that day, because he was going to be behind me and was going to make sure that Colorado was going to be minus a Lieutenant Governor.

"But as I say that, let me also point out that the response has not been generally that way. The response around the country has been warm; it's been wonderful. There have been some refreshing kinds of incidents, too."

In retrospect, all the media verified--contrary to their intent--was that George Brown was not getting rich being a State official. Nor, in fact, could his competence as a public official in the area of finances really be successfully challenged, there never having been any criticism during all the years he served as a member of the Legislature's Joint Budget Committee and as chairperson of the Senate Finance Committee. He has, in fact, been characterized as having had "a formidable reputation as the Senate's fiscal expert."

But in a strange twist of value judgements, he is criticized and penalized--characterized, almost, as being "unAmerican"--for not being materialistically oriented, for not paying sufficient heed to his personal financial situation and gain. Having found his "vulnerability," the press began playing up any incident that could be construed as lending credence to irresponsibility. So, much as he had predicted, in November 1976, the editorial headline read, "Lt. Governor Brown Does It Again", and an assault was launched over the $5 gasoline bill incident.

The depravity of the media, the disregard for human life, the ludicrous proportions of their pettiness, the panorama of their sordid racist witchhunts that send reporters scurrying after imaginary demons, and editorial writers stalking goblins in the dark was fully portrayed in this incident.

What is so striking about the incident is not just that the media played havoc with the issue of nonpayment of a $5 gasoline bill, even when the police declined to act on the complaint and, in fact, commended the Lt. Governor for his handling of the situation. What is so striking is that nowhere in the actions of the media personnel was there the slightest suggestion of any sensitivity or compassion for the humiliation of being subjected to such treatment as was the Lt. Governor--for the sole reason that he is Black. Nowhere was there expressed a whisper of concern or caring that the situation posed a condition of extreme tension and very real danger. Rather, the media served as an instrument for amplifying the deeply embedded feelings of resentment and intolerance of the station attendant toward a man who was not only Black, but who dared to occupy a position of power.

The seriousness and maliciousness of such conduct by the media was made all too clear when Jimmy Carter was elected President and speculation about appointments to his administration was at its height. A local weekly, the Straight Creek Journal, had previously run inflammatory stories about the Lt. Governor which contained factual errors and which made false accusations. Following the publication of one such story, Lt. Governor Brown took issue with the article, precipitating a confrontation in a public meeting. Since that time, the paper has engaged in what Governor Brown terms a "vendetta out of revenge" for his public criticism of the story. One expression of the vendetta was the publication of an open letter to President Carter detailing in highly negative terms why he should not appoint Lt. Governor Brown to a national position.

The highest award for crassness and disrespect, though, must perhaps be reserved for the local ABC TV news team that appeared in the Lt. Governor's office, unannounced. Upon asking to see the Lt. Governor, they were told by the receptionist that he was occupied and could not see them right at that time. This triggered a tirade on the part of members of the news team, who ranted at the office staff for some minutes on the obligation of the Lt. Governor to be accessible to the media.

Said the Lt. Governor, "I have an obligation to serve the people of this State by carrying out the responsibilities of this office. In order to do that, you have to set priorities.

At that moment, I was engaged in something of higher priority. But they could have made an appointment."

He is ever the voice of reason and fair play...It must be the ultimate in understatement to acknowledge that other than that is too often accorded him.

At this writing, the Denver media show no signs of relenting. Most recently, in April 1977, the first page of the local news section of the *Rocky Mountain News* carried a headline reading,"Lt. Governor Brown Uses State Funds to Help School Board Candidate." The background of this incident was as follows: Governor Brown agreed to serve as Honorary Co-Chairperson for the campaign of a Black candidate for the local Board of Education. Campaign letters, typed on the candidate's stationery, were brought to the Lt. Governor's office for his signature. A member of the staff inadvertently inserted five of the letters in State envelopes and mailed them before the error was detected. One of the recipients of the letters contacted the *Rocky Mountain News*, who checked the postal meter for the Lt. Governor's office for that day, concluded that 31 letters had been mailed, and reported misuse of $4.03 in State funds. In the meantime, the candidate had been contacted by the Lt. Governor's staff and asked to reimburse the $.85 for the five letters, which she had done.

Meanwhile, during this same time period, two news releases from the Lt. Governor's office--one noting that two Coloradoans had been cited by *Ebony* Magazine as among the "100 Most Influential Black Americans," the other reporting Lt. Governor Brown's election as an at-large member of the Democratic National Committee--each received a few lines coverage in the back pages of the *News*.

The sources of harassment, it must be noted, are not restricted to the media. Colorado is considered to be one of fifteen States having a "strong" Lieutenant Governor, in terms of duties and responsibilities of the office. For seven consecutive years prior to the election of Brown, legislation was introduced in the State further strengthening the office. Each year since his election, a bill has been introduced in the Legislature to abolish the office of Lieutenant Governor.

The perpetration of harassment extends as well to the IRS, CIA and FBI. His income taxes have been audited by the IRS every year since he was elected Lieutenant Governor. According to Governor Brown, in 1976 he was told by one of the agents that the audits were the result of "orders from Washington." The agent added that if Brown quoted him on that statement, he would deny ever having said it. As early as 1963, the FBI was known to be maintaining a file on Governor Brown. Over the years, the suspicion has frequently been raised that Black agents infiltrated community meetings in which he participated, posing as news reporters and then feeding information to the media that was printed as negative and distorted characterizations of what actually transpired at the meetings. Most recently, an FBI informant admitted that he had spied on a dozen and a half political leaders and activists in Colorado, including the Black State Representatives and Senator and the only Black mayor in the State, from 1970 to 1976. When these allegations became public, the FBI accused the informant of lying and denied that he was ever retained by them to engage in espionage.

It is left, it seems, to a child to tell the truth of the matter. Governor Brown relates a story involving an occasion of his speaking to a class of elementary students. The class teacher commented on the attacks on him and on Lt. Governor Dymally. One of the students, he recalls, observed that she saw the situation like this: That, "they be hitting people like me with a switch. But they be hitting our Lt. Governors with a whole tree."

Governor Brown adds to this story, with what for him is a rare admission of personal hurt, "I can tell you that it ain't fun being hit with a whole tree."

Assuredly not. Especially for a gentle man.

Then he continues, "But let me also tell you that when you know there are kids like that, who get some sort of inspiration and some sort of direction and some sort of feeling that they're going to move on--you don't mind the blows that you get from the whole tree..."

The wolves would do well to measure carefully the moral strength and dedication of this public official; they ought not be deceived by his gentleness. George Brown will endure --as will the ideas and the commitment planted in the hearts and minds of the children he has inspired.*

Unending Nightmare

Late in 1976, Mervyn M. Dymally, Lieutenant Governor of the State of California, issued a statement which reads in part:

> It has long been my policy to maintain an open office, to facilitate to the fullest extent possible media access to myself and my activities. It has always been my conviction that the press has a responsibility to report fully and accurately on all aspects of government in order to inform the public of the doings of their elected and appointed representatives.
>
> My conviction is no less firm, though I have come to question seriously how responsibly the press carries out its responsibility. Consequently, I find myself reassessing my policy of openness and access. In considering a change in that policy, I feel an obligation to set forth the reasons for the shift in my thinking.
>
> Simply stated, I can only describe my experiences of the past two years with the printed media as a horror, as an unending nightmare. I find an image being projected of myself as a person and as an elected official that totally denies my sense of values, that misrepresents my intentions, that impugns my integrity, that mocks my commitments...
>
> ...I am tired of it; I protest; and I have decided to tell my side of the story. The view from where I sit looks very different, indeed...

Lt. Governor Dymally then went on to analyze a story about him that had recently been printed in the Sacramento Bee, pointing out its falsehoods and distortions and bias. But his statement was directed not so much at this one story--not even so much at the Sacramento Bee--as it was at the unceasing attacks on him by the media over the preceding two years, most notably by the Los Angeles Times.

To recount a complete chronology in any degree of detail of all the attacks on Lt. Governor Dymally would literally require a book in itself. Only a few episodes are elaborated on here; those episodes, along with a summary of several other incidents, reveal an incriminating pattern. And it is not the Lt. Governor who is incriminated.

The impact of the relentless assaults on Lt. Governor Dymally that led to his issuing this statement can be fully appreciated only when viewed in the context of his competence and his humanness.

In part, that means that Mervyn Dymally would be the first to say that he is not a man without fault. He would assuredly assert as quickly--inwardly, if not outwardly--that the judgment without trial that has been rendered is small reward indeed for the dedication he has lived out over the years and for the anguish--for family and friends and staff, as well as for himself--in which that dedication has culminated. Still, there are faults.

As a child in Trinidad, he adopted as his model and ideals the freedom symbolized by the government of the United States, and there are those who would fault him for that.

As an immigrant to this country, he sought and obtained an education and citizenship status, rather than returning to his country, and there are those who would fault him for that.

As a citizen, he chose to become an active participant in our system of government through the seeking of elective office, and there are those who would fault him for that.

As an elected official, he offered legislation on women's rights, consumer protection, campaign reform, labor, the elderly and environmental issues. He committed himself to sponsoring legislation that furthered life conditions of dignity and opportunity for the poor and disenfranchised through the provision of health, child care and educational services. And there are those who would fault him for that.

As a representative for twelve years of the ghetto of South Central Los Angeles, he responded first with compassion and secondarily, if at all, with thoughts of his own welfare, to the peculiar needs and problems of a lower class Black constituency--problems that are largely absent from the consciousness and daily life of middle class white communities. And there are those who would fault him for that.

Throughout his tenure as a public official, he has conducted himself with increasingly sophisticated wit and skill, learning the rules of the system--written and unwritten--and employing them to the ends to which he was committed, retaining all the while an irrevocable conviction that government exists to serve and benefit the people--and not the individual official. And there are those who would fault him for that.

There undoubtedly has been cause for criticism. There undoubtedly have been instances of less than exemplary judgment; occasions of unfortunate choice of words; situations in which actions hugged closely that ever-thin line between the legally allowable and the legally inadvisable.

But if there are solid grounds for fault, it is undoubtedly in that Merv Dymally, in spite of adversity, has remained a man of kind heart, with a great love for life. He is a strong, disciplined man; and he is a deeply caring man. One is tempted to characterize him as a kind of modern-day Robin Hood. Not because he robs or steals. He doesn't have to. As he can--and does--attest, the system does the stealing. He simply tries to return to the people what has been taken from them. He enjoys nothing more than helping people, nothing more than giving to people. Having helped a person, he counts them among his friends, unmindful that he is, in turn, vulnerable to being spitefully used to advance another's self-interest.

He is as unpretentious as any person likely to be encountered, and we have come to be suspect of such a person. He is devoid of prejudice based on color, class, or creed, and in a world where bias is the norm, such a person strikes us as a mirage. He is a politician of integrity, and that evokes for some, disbelief, and for others, disrespect. He is an immensely creative person, able to tie together his delight in the world of ideas and concepts and his boundless energy in such a way as to productively utilize available resources to address complex social problems.

He is given to easy laughter; he has a rare proclivity for speaking candidly and openly, which has a startling impact on the listener, and which often gives rise to skepticism and less frequently to outright charges of dishonesty. He is a mystery in that he is what he is and still survives, and where mystery is concerned, we are much given to fear, to dislike, to violence. We are prone to believe the worst, not trusting to believe the best.

He is not unaware of actions that have spawned simmering hostility in some arenas. He was the only elected representative on the scene, in the street, during the Watts riot and immediately after shootings of Black Muslims and Black Panthers. "It didn't matter whether I agreed with the Muslims or Panthers or people in the riot," he explains. "I saw my role as an advocate for their problems. And so, I became controversial. Some people find me a little too outspoken, a little too aggressive, a little too brash. I did not try to court the people outside of my district or try to become the most popular legislator in Sacramento. I tried to be the most effective representative of Watts. My legislative record is relative to my constituents."

In playing out his role as an effective representative, he became a leader of a group of legislators known as the "Young Turks", who in 1967 acted to move aside the old leadership. The walls of the Capitol Building still reverberate from their activity. And when he ran for Lt. Governor, the Democratic State Central Committee declined to support him financially, a decision which brought them a Dymally denunciation the morning following his election.

He is clearly a man not easily intimidated, nor is he one long perplexed by any seeming set of obstacles. But he does have one characteristic that perhaps as much as anything puts a mark of uniqueness on his particular case, distinguishing it from the situations of many other Black officials. In his words: "The one thing I can't deal with is race--it saddens me more than anything else about this job, that I have to talk about race. I'd rather be talking about economic development--but this thing has overwhelmed me. I can't escape it. The only time in the last two years I've been able to escape it is the three weeks I spent with my mother in Trinidad."

He describes the village of Bonasse on the Island of Trinidad where he was born and raised; where "East Indians, Europeans, Afros, Spanish interact with one another on the village street without regard to color." He speaks of it with a kind of awe, and with a profound appreciation of its simplicity.

Unlike most other Black officials, he lacks the experience of having grown up in this country, being conditioned from birth to deal with color and racism.

When Lt. Governor Dymally speaks to groups in the South Pacific and Asian countries, he evokes joy, celebration, reaffirmation of their belief in the American Dream--because he is a Third World former British colonial subject, now the number two man in the State of California.

While Embassies and press in Third World nations across the ocean write glowing accounts of his effectiveness and his achievements, the California press wages a campaign to deny the American Dream.

Because he "can't deal with race," his interviews with reporters are characterized by bewilderment, anger, pain; by impassioned, eloquent pleas for understanding. If the reporters hear; if they understand; if they care--it is not reflected in the stories they write.

Rather, what they write is, as the Lt. Governor defines it, "an exercise in turning triumph into adversity."

Not surprisingly, the assault started when Dymally announced his candidacy for the office of Lt. Governor in 1972. As he points out, as long as he represented the Watts district, nobody cared--about him or about Watts. But the prospect of having a statewide constituency was a different matter.

Very soon after his announcement, an incident occurred which in many respects set the stage for the attacks that were to come. Significantly, the first articles on this incident made reference to the fact that Dymally was "one of the State's top Black leaders and a likely candidate for Lieutenant Governor in 1974."

In 1969, Dymally was involved in the formation of a firm called Batik Wine and Spirits Co., the purpose of which was to market wine in the Black community and develop sales and managerial positions for Blacks in the wine industry under the sponsorship of Black capitalism. When the inability to compete successfully with established wine businesses led to deterioration of the company, one of the persons involved recommended that it be merged with a health care company that was seeking "a corporate shell." Accordingly, Batik Wine decided to merge into Comprehensive Health Care Systems in February 1971.

Dymally promptly resigned from the Board of Directors of the company, giving as his reason the possibility of a conflict of interest because of his membership on the Senate Health and Welfare Committee. He also sought permission from the Corporation Commissioner to dispose of the $650 worth of promotional stock which he held by virtue of being one of the directors of the company. The Commissioner declined to give permission because of legal restrictions designed to preclude quick profits for promoters. Dymally subsequently donated his shares to the Children's Home Society.

On August 2, 1972 the L. A. Times ran a story implying that the Black community was being ripped off by the business venture and merger, to the financial profit of the promoters. The article reported that Dymally stood to profit some $19,000, and it charged him with a conflict of interest on grounds that he had sponsored a bill in 1970 which made possible the merger of Batik Wine with a health care company, and which in turn would result in monetary gain. An editorial in the L. A. Times on August 4, 1972 expanded on these charges and called for scrutiny of the matter by the Legislative Ethics Committee--a step which carried to its legal conclusion can, if sufficient grounds are found, lead to impeachment proceedings.

On August 7, 1972, Senator Dymally wrote the Chairman of the Joint Legislative Ethics Committee submitting material related to the issue for review and indicating his desire to cooperate in any way should the Committee determine that an investigation was necessary. In November of that year, the State Attorney General rendered an opinion that Senator Dymally had no conflict of interest. A private legal firm similarly determined that "Senator Dymally did not violate either the letter of the law or the spirit of the law and that there was no conflict of interest. The Times articles clearly were not thoroughly researched and were misleading to the public."

As a postscript to this incident--and a prelude to others--Dymally notes that "long before the article was written, one of the authors of the story--Robert Fairbanks--expressed some critical reservations to me and two members of my staff about the fact that Blacks were now in the wine business. It is obvious from the article that he was looking for any information to discredit the effort."

"Actually," says Dymally, "most of the investors were white. If there was any ripping off, it wasn't of the Black community. But the charges frankly damaged my credibility. And that was the beginning...I accused the Times of racism for singling out a Black company to show its failure when no notice was given to white companies which were failing daily. The result of their charges was that the new company was automatically cancelled out on a health care contract it was seeking. So the story helped expedite the burial of the company."

Throughout Dymally's primary campaign for Lieutenant Governor, the Times coverage was negatively slanted in a manner that built an unfavorable image. The issue of his race was repeatedly injected; rumors and unsubstantiated accusations were repeatedly highlighted; he was characterized as a clever wheeler-dealer; he was criticized for being a "political power broker in the Black community rather than appealing outward to the white community." No recognition was given of his exemplary service for twelve years in the Assembly and Senate, or of the fact that he had developed a state-wide constituency of diverse interest and ethnic groups. No comparable criticisms were leveled at his opponents.

Dymally's chief opponent, Howard Miller, again raised the issue of the Batik Wine case; charged Dymally with criminal acts related to state health care contracts; accused him of being "clearly unethical" and possibly engaged in criminal conduct with regard to campaign contributions from health care firms; of illegally diverting campaign funds for personal use; of committing perjury in his official financial statement; and of stealing from the public treasury.

While the Times carried prominently all of the charges made against Dymally, and editorialized on some of them, the paper reported none of the major charges that Dymally made against his opponent. The Times carried no coverage of the fact that both the Los Angeles District Attorney's office and the Sacramento County District Attorney's office refused to look into the criminal charges made against Dymally. (During the campaign, the State Attorney General's office dismissed the charges as having no merit.) No coverage was given to rebuttals to the charges against him.

The Times played up, particularly, the innuendos regarding Dymally's involvement in health care services. It totally ignored Dymally's central involvement in attempts to reorganize and improve State regulation of health plans.

And the stories continued long after Dymally assumed occupancy of the Office of Lieutenant Governor. As Dymally describes it,

> The Times assigned Robert Fairbanks to the Health Department and he combed that Department upside down. They have combed and combed that Department for four years. They can't find a single person to say I was ever involved in any contract negotiation. By Fairbank's own admission in my office, in the presence of another Times reporter, he found no evidence of my involvement. And yet, he continued to link me with health care contracts. Every time he wrote a story, the last paragraph would read that "Dymally has been accused of having an interest in health care." But every preliminary investigation by the Legislature shows--and by the Health Department's own admission--there is no evidence of my involvement at all. What was strange about it is that the health plan program was a Reagan operation. I hardly assume I--a Black legislator from Watts--could have had any influence.

Dymally has an explanation for this particular set of dynamics. It is best told in his own words.

> I have been instrumental in promoting the idea of pre-paid health in California. The facts are that the Health Department granted two corporate contracts to large white medical health care corporate firms in Watts. The Black doctors protested loudly and eloquently that they had spent all their lives building up practices in the ghetto after having been discriminated against by the California medical schools, and after having had to go to Black schools at their own expense.

> Then they come back and have to participate in the "conspiracy" to put them out of business by giving white health care corporations contracts in the Black Community.
>
> We--then, and still now--raise hell about Black doctors not being awarded contracts. There have been heated, loud, cursing sessions in my office with the Black Caucus, the Black doctors, and Health Department officials. We continue to wage that battle even today.
>
> Is there a conspiracy by the L. A. Times related to this issue? I have no evidence of a conspiracy. But we do have some strange coincidences, some strange patterns. Pre-paid health is opposed by the AMA and CMA (the California Medical Association). The chairman of the board of the Times Mirror Corporation is a medical doctor who is a former chancellor of UCLA. So they (the Times) have always been opposed to the concept of prepaid health.
>
> Blacks take the position that as long as white doctors were making a mint it didn't matter what type of practice they indulge in. As soon as Black doctors begin making some money, there are all kinds of problems with the programs and all kinds of concern about over-costs and deals and so on.
>
> White people only believe in the free enterprise system when it benefits them. But they have some problems with the free enterprise system when it benefits Blacks. When the free enterprise system begins to benefit minorities, they want to socialize it.

Lieutenant Governor Dymally feels as strongly--if not more so--about education as about health care. In his words, "I have a tremendous passion for education. I am prepared to go to any length to get it or to see to it that other people get it." He recalls the time one reporter wrote an article admitting that "the one thing that the media have never understood about me is my passion for education." Accordingly, that has been a second major area of attack.

During the campaign, a Times reporter assigned to do a political story on Dymally spent one day traveling with him, observing and asking questions. He then filed a story that had nothing to do with Dymally's campaign activities, but zeroed in instead on his involvement in an alternative

88

school, Laurence University, in Santa Barbara. The board of directors was at that time embroiled in a struggle to become accredited. Of the sources that the Times reporter contacted, one, a professor at Cal-Berkeley and a member of the Laurence University staff, characterized Dymally as the one conciliatory force on the board; another, the former fiscal officer, pointed out that Dymally was the only member of the board who had not received any reimbursement for travel expenses. Rather than pointing out the somewhat questionable resistance to the school being accredited, or focusing on Dymally's positive efforts on the school's behalf, the reporter wrote a story accusing Dymally of being involved in a "diploma mill."

The Times then began investigating another school in which Dymally was involved, Windsor University, an alternative school in South Central Los Angeles. That school had grown from nothing to 600 students in a little over a year, and was also involved in a fight to become accredited, which the accrediting association was resisting. The Times story created an impression that Blacks were involved in a "conspiracy" to develop an innovative institution and alleged that Dymally used his influence as a legislator to assist the school. Other Blacks whose names were involved or who were mentioned in the story put out a disclaimer--all except Dymally; he alone came to the defense of the school and refuted the charges. The story, which led to investigations by the State Attorney General, the Department of Education and the U. S. Post Office, had as its end result the death of the university.

Coincidentally, this story broke just when a former aide of Dymally's was engaged in a campaign for the Senate office that had been vacated by Dymally.

Next, three months after becoming the Lieutenant Governor, the Times began investigation of an organization Dymally had founded in 1968 called the Urban Affairs Institute (UAI) and which ceased to operate in 1973. Coincidentally, the story on this investigation was published shortly before the election of a candidate for an Assembly office who Dymally also had supported.

The impetus for UAI grew out of Dymally's concern that a program jointly sponsored for ten years by the State Assembly and the Ford Foundation to train college students to become legislative assistants had involved only one minority intern. Following two years of discussion and consultation, Dymally submitted a proposal to the Ford Foundation for the specific purpose of involving minority students in government. In July 1968, Ford--motivated, undoubtedly, in part by their obvious record of failure to respond adequately to minorities and by the prevailing climate of urgency to address urban problems--awarded a $500,000 grant for a three-year period for the operation of the UAI; another $250,000 was subsequently awarded, extending the grant period.

The main thrust of the Institute was to "recruit qualified and committed minority students, inspire and direct their education for careers in government and public service, and help them gain entry to such positions." The nontraditional approach of the UAI was reflected in its selection process. UAI felt that the traditional criteria--high grades, extracurricular school activities, and personal references--militated against the minority student. So they looked instead for political sophistication, social concern, and active involvement in community affairs. Students selected were then involved in one of several programs:

- Fellowship Intern Training (FIT), which provided annual fellowships to college graduates who then enrolled in graduate programs at accredited colleges and universities and served internships in the offices of public officials;
- Training in Public Service (TIPS), which provided paid 10-week summer internship training for undergraduates in offices of elected officials;
- New Opportunities Development (NOD)--(funded by Rockefeller Foundation)--which annually placed 12-15 high school students in paid internships with government and community organizations;
- Volunteer Internship (VIP), which enabled college graduates to continue their education while retaining their jobs through a summer Masters degree program in cooperation with Occidental College.

The results of this effort were impressive to say the least. Graduates of the program now serve as State Legislative members in California and Colorado; as consultants and aides to key legislative committees; as college professors; as managers and administrators in Federal agencies.

UAI is credited with having been instrumental in developing an organized political base in the minority communities of Los Angeles. Furthermore, its impact was felt nation-wide: UAI, for some time, published a unique and respected journal of Black political thought, The Black Politician; it produced the first edition of the National Roster of Black Elected Officials, now published annually by the Joint Center for Political Studies, an organization that itself received impetus from Dymally's sponsorship through UAI of the first

National Conference of Black Elected Officials.

Understandably, Lt. Governor Dymally speaks with pride when recalling the Urban Affairs Institute. And he must be credited with its success; it was, for several years, his joy, his love, and the recipient of every measure of time and energy he could free from his legislative responsibilities. His personal commitment extended to serving as chairman of the board and as the working president for the first several months, for which he received reimbursement of $1,000 a month. When it appeared that holding these positions might become an issue if he sought higher office, he resigned, repaying the money he had received as salary.

When the Times began its investigation, the UAI had already been out of existence for two years. When they wrote their story, they syndicated it to their clients across the country and fed releases to wire services before printing it in their own publication. When they did print their own story, they not only questioned Dymally's involvement, not only accused him, not only indicted him: They convicted him. The headline read: "Dymally Misused Funds of Minority Aid Program." The article was rife with innuendos, half-truths, and outright lies; it repeatedly used phrases such as "abuses", "forged checks", "unauthorized salary", "shoddy practices and misleading advertising", and "widespread irregularities." It asserted not only illegal use of funds, but nepotism as well. And it declared: "The program failed."

While the Senate GOP Caucus Chairman called for the Joint Committee on Legislative Ethics to investigate, Dymally called press conferences to challenge the charges, and he distributed throughout the State a written point-by-point refutation. This analysis he also mailed, with a cover letter, to Otis Chandler, publisher of the Los Angeles Times, describing the article as embodying racism, McCarthyism and yellow journalism. Chandler responded cryptically: "By the time this letter reaches you, you will no doubt have read our Monday, July 28 editorial. I think it speaks for itself and therefore I feel no need to reply to your letter in detail." The editorial essentially restated the original article and dismissed Dymally's refutations.

Dymally has readily and repeatedly conceded that the UAI program had bookkeeping and internal administrative deficiencies. But neither the members of the Board of Directors nor the Ford Foundation concurred with the Times vicious assessment of the overall effort. Throughout the existence of the UAI, it was regularly monitored and audited by the Ford Foundation and the IRS. Officials of the Institute were regularly in touch with the State Attorney General's office about their activities. When the UAI went out of business, Dymally himself contacted the State Attorney General's office, advising him of the disposition of property held by UAI and requesting an audit.

When contacted after the Times story broke, the Attorney General confirmed that his office had been investigating the UAI for over a year, and that the investigation involved "relatively minor accounting questions." He subsequently stressed that the investigation was of the books and ledgers of UAI, and not of the Lieutenant Governor. Dymally, however, again contacted the Attorney General and asked that they investigate the Times' charges. Two years later, in April 1977, in sharp contrast to the original Times declaration that "Dymally misused funds," the Attorney General issued a report concluding that there were no grounds for either criminal or civil charges.

The Lieutenant Governor summarizes the whole affair this way:

> In the hectic frantic Sixties, when cities were burning and urban warfare was a distinct possibility, I--as with all men and women of good will--was trying desperately to come up with solutions to the critical urban problems, to open up the systems. We were not bookkeepers; we were improvisors, experimenters. It makes no sense to apply the post-Watergate, reform standards of today, when the cities are calm, to those frantic days of the Sixties.

If the UAI was not a failure, other efforts by Dymally and by members of his family have been. And the L. A. Times itself must take some credit. The lengths to which the Times will go are only hinted at in what finally makes its way into print. The damage done by the media is not only through stories actually run in the newspapers. It is perpetrated from behind the scenes, through investigations that have the effect of sabotage--as was the case in the following scenario.

Out of the Ford Foundation grant, the UAI allocated $30,000 for a jobs, education, and training project in Watts, called JET, to be operated jointly with the Urban League. The reason for this, as Dymally recalls, was the feeling that the only reason UAI got the Ford grant was because they were Black, and the grant money was going to the Black middle-class. The one way, UAI believed, to make the program relevant and to free it of attacks--of the "divide and conquer syndrome" so prevalent in "grantsmanship"--was to allocate some of the money to the poor.

Although the Ford Foundation monitor initially felt that this was an unauthorized expenditure of funds, it was subsequently approved because it was in conjunction with President Johnson's Jobs in the Business Sector (JOBS) program and with the National Alliance of Businessmen (NAB) program.

Dymally's brother was initially hired by the Urban League (not by UAI) to run the JET program. When he became ill, Dymally's sister-in-law, who had been working as a volunteer in the program, was hired as her husband's replacement. Because of differences she had with her supervisor, she elected to start her own program--Brotherhood Education Center in Watts--and subsequently applied to HEW for a grant.

Based on promises that her proposal would be funded, she proceeded to raise seed money for the project. As part of this effort, she obtained a bank loan for $5,000, which then-Senator Dymally co-signed, on the premise that it could be paid back out of the HEW grant--an understanding which proved to be fallacious. His sister-in-law got the HEW grant, but was prohibited from paying the loan with grant money.

When the bank involved changed managers, the new manager came to Senator Dymally for payment. He, in turn, contacted his sister-in-law, who was unable to make the payments. Dymally, therefore, paid back the loan out of his own funds.

In the meantime, a disgruntled employee on his sister-in-law's staff was terminated, and then apparently contacted two reporters--both of whom had been political adversaries of Dymally's--about the financial problems in the project.

Subsequently, a Times reporter--again Bob Fairbanks--was assigned to write a story. Fairbanks proceeded to call HEW, the Department of Labor, Senators Cranston and Tunney. As a result of the inquiries they received, HEW put a freeze on the project funds.

The Times story fell through because Dymally had all the documentation from the Bank of America that it was a legitimate loan. Upon taking the documentation to a lawyer and to the Times, the story was dropped. But, as Dymally says, "The damage was done. HEW said they didn't want to mess around with the Times and they cancelled the grant. They put everybody out of business."

There can be little doubt but what the L. A. Times deliberately set out to "get" the Lieutenant Governor. Even the San Francisco Examiner and Chronicle, in early 1977, acknowledged that "Dymally has been victim of an innuendo campaign by a Southern California newspaper...None of the allegations were ever pressed and no charges have been filed despite extensive investigations." In a spill-over effect, the Sacramento Bee--generally regarded as a highly reputable paper--joined in. And the UPI and AP wire services then provided a multiplier effect, running the stories all over the State.

Dymally says for a while he kept a record of the Times and Bee investigations on him, but he stopped counting after the first dozen or so. He adds, "The rumors about me and my activities have taken on a life of their own, despite the fact they are regularly refuted and disproved, despite the fact that other persons involved regularly deny and point out the untruth of the accusations." Not only has Dymally never been indicted; he has never been invited to appear before a Grand Jury. But it is not for the lack of trying on the part of the media. Dymally was told by a very reliable source with the U. S. Senate that the Times had hired an investigator to find something on him.

This one incident serves to illustrate the ludicrous extent of the witchhunt:

When a vacancy occurred on the Los Angeles school board, the person who had been Dymally's opponent for the office of Lieutenant Governor, Howard Miller, ran for the seat. Dymally, who knew all the members of the board, spoke to them advising against the appointment of Miller on the grounds that he "had the potential to become a Richard Nixon in the Democratic Party."

Information was given to the Times that Dymally was intimidating board members and had threatened to cut off State funds to the school district. A Times story subsequently reported that Dymally used a California Highway Patrol car and a red light to pull over a school board employee and threaten him.

In fact, the school board employee, an old friend, had pulled Dymally over to exchange friendly greetings. As Dymally recalls, his parting words were, "If you see (the superintendent) this week-end, tell him I don't like Miller." Says Dymally, "He laughed, then left."

Dymally says the Times knew before they ran the story that there was no red light on the car, and the Highway Patrol subsequently submitted an affidavit to that effect. Nevertheless, the Times assigned a reporter to write an editorial on the incident. The person assigned happened to be, as Dymally puts it, "probably the only reasonable person with whom I could communicate there." He continues, "I explained the facts to him--that it was a bunch of lies; that I was the victim of a distorted story." The Times decided not to print an editorial.

"Shortly after his appointment," recalls Dymally, "Miller, to the surprise of everybody, came out with an antibussing resolution. Then, all the Blacks who had been supporting Miller turned on him. I became the instant hero. Even now, I get messages from the school board telling me how right I was."

These additional examples attest to the diversity and quantity of the harassment:

- The Lieutenant Governor's brother visited him in his office on several consecutive days. A reporter made inquiries as to whether his brother was on his payroll.

- Dymally's son ran an errand in Sacramento for his part-time employer. A reporter made inquiries as to whether he and his son were in the legislative mailing business.

- A reporter questioned other State officials about the Lieutenant Governor's sex life.

- Another reporter checked at the Sacramento State University library to see if Dymally had really written a thesis for his Master's degree. When he discovered the subject of the thesis had to do with the relation of the media to the civil rights movement, the reporter dropped it.

- Dymally enrolled in a Ph.D. graduate program. A reporter tried to check his grades to see if he was being graded too easily.

- A magazine item charged that Dymally had received $50,000 from Senator Hubert Humphrey when, as State Senator, he was involved in Humphrey's campaign. Dymally and Senator Humphrey are close personal friends, and Senator Humphrey personally refuted the story.

- Another magazine published an article negatively characterizing Dymally as a "Black hustler", and ripoff artist.

- The Bee spent some time researching whether his campaign was funded in part by a "Black gangster."

- The Times has continuously perpetuated what Dymally calls "their tremendous myth about this Dymally/Bradley feud," particularly when the Lieutenant Governor and the Mayor of Los Angeles are supporting different candidates for a particular office.

- The Bee researched a story on Dymally's "indictment"--when there was none--and subsequently apologized.

- The Times wrote an editorial against then-Assemblyman Dymally for collecting his per diem when he was in his Assembly district, when the practice has been a common one for all Senate and Assembly members throughout the history of the State. Another Assembly member, who had complained about Dymally and triggered the editorial, was the same weekend, according to Dymally, stuck in the snow in the Sierras and had to be pulled out by a highway patrolman--while he was receiving his per diem. But the Times never mentioned that.

- After Dymally became Lieutenant Governor, the Times ran a story centered around a staff member, who had been in his office while he was a Senator, giving the impression he had kept her on the payroll when she wasn't working.

- In one instance, his office received an urgent call from the Times about the car driven by the Lieutenant Governor. They apparently had some kind of lead, and asked about his license plate number. Dymally never learned what that one was about.

- In July 1976, when a State Health Department official was fired, the Lieutenant Governor was the immediate subject of a Bee story saying he was primarily responsible, though the reporter never contacted Dymally for his version, and subsequent stories indicated the real causes for the person's dismissal had nothing to do with him.

- When the Lieutenant Governor was named Chairman of the State Commission of the Californias, a San Diego reporter immediately began investigating handling of an eight-year-old assistance fund managed by the Commission, though there had never been any such investigations of previous chairpersons or Lieutenant Governors. A legislative analyst's investigation of the Commission fund ensued when Dymally closed a tax loophole by changing its status from tax-exempt to non-exempt.

- After the Lieutenant Governor spoke to a government class at a Sacramento High School, a Bee reporter, who Dymally was unaware was even present at the lecture, wrote a highly distorted, prejudicial story headlined "Dymally Again Raps L. A. Times, Newspapers Generally", which the class instructor promptly protested. The incident was subsequently the subject of a Bee editorial comment.

- In September 1976, when Dymally sought a pay raise for the director of the Commission of the Californias, who happens to be a Chicano, the Bee characterized the director as "Dymally's pal", though no such characterizations are used when the Governor or other State constitutional officers appoint persons who are acquaintances, if not personal friends.

- When the Lieutenant Governor attempted to assist a parolee by appearing at a hearing in his behalf, he was accused by a State Health Department official of "political intervention."

- In 1976, another brother of Dymally's, without consulting or informing the Lieutenant Governor, decided to run for an Assembly seat against a candidate who the Lieutenant Governor had already committed himself to support. The L. A. Times ran an article on the front page of the city news section on the conflict in the Dymally family, playing up the notion that the Lieutenant Governor's own brother was against him. The article was captioned "Brother Accuses Dymally of 'Dirty Tricks': Says Lieutenant Governor Sabotaged Campaign to Aid Protege."

- In the same article, Dymally was charged with illegally using a paid member of his staff to work in the campaign of his candidate for the Assembly seat, when in fact the person in question was a volunteer in his office and there were no campaign violations involved.

- In his capacity as Chairperson of the State Commission for Economic Development, the Lieutenant Governor was centrally involved in convincing the British West Indian Airways in Trinidad to purchase three Douglas Aircraft Co. DC-9 aircrafts at a price of some $23 million, which represented a profit in taxes to the State of $1.5 million, as well as 360,000 person-hours of work. Dymally's efforts in this matter received front page coverage in the Long Beach Press-Telegram. Not one word about it was printed in the Los Angeles Times.

- Similarly, Dymally, as Chairperson of the Commission of the Californias, spent a week in Mexico visiting prisons and upon his return held a press conference at which he recommended the establishment of a prisoner exchange policy between the United States and Mexico. The L. A. Times gave no coverage to the story. Within a few days, the President of Mexico announced his intent to seek legal changes permitting such prisoner exchanges. The Times carried this story on the front page.

- Dymally was accused of violating his own campaign finance reform law when in his financial statement of assets he failed to indicate that he had cosigned a loan for a friend of his to purchase a home. Dymally says he didn't list the house for an obvious reason: it wasn't his. But the investigation of the matter continued for six months.

- When a school district in the Sacramento area became eligible for special State funding to low-income schools, Dymally was charged with conflict of interest because of his Committee position and the fact that his wife was a teacher in the district in question. His wife has subsequently avoided practicing her profession.

- When the Lieutenant Governor's niece was hired by a health plan organization, Omni-Rx Corporation, he was charged with nepotism--though he had no involvement in the company and was unaware his niece was working there.

- About the time Governor Brown announced his candidacy for President, an employee from an Assemblymember's office, while at the office of the registrar of voters, happened to see an application requesting financial statements of all of Dymally's campaigns from 1962 through 1974. Told about this, the Lieutenant Governor originally dismissed it. But then he learned that two investigative reporters from the Times were interviewing people who had contributed to his campaigns. Dymally had the same employee go to the voter registrar's office to make the same request and to get a description of the person who had made the other request. The person who had made the request proved to be the same person who was doing the interviewing of campaign contributers. The investigative reporters went to a lawyer from whom Dymally was alleged to have been receiving payoffs, and discovered that in the 10 or 12 years of their acquaintanceship the lawyer had only given Dymally's campaign $100.

But the reporters then went to the lawyer's impending business partner, and when this person learned the Times was doing an investigative story, he withdrew from the business venture. The lawyer threatened to sue the Times. The Times dropped the case. Dymally never knew what it was they were looking for.

- In the Fall of 1976, Dymally received a call from a CBS correspondent telling him he had heard he was going to be indicted by the Federal government for fraud. Nothing more was ever heard of that rumor.

The harassment experienced by the Lieutenant Governor does not stop with the media. His income taxes were audited for three years in the early 1970's. One year, he paid a six dollar assessment; another year he was required to pay taxes on his per diem; for the three years, he had to pay $25,000 in attorney fees. The harassment extends as well to law enforcement agencies.

In an affidavit filed in a United States District Court, a former acquaintance of Dymally's testified that while waiting to appear in court on charges of income tax evasion, he was approached by an Assistant United States Attorney who offered to have several counts dropped if the defendant would furnish information to "get" several Black office holders and Black activists in the Democratic party and Black voter organizations; alternatively, the Assistant U.S. Attorney reportedly stated he would present information to the Grand Jury on an additional four counts if the defendant declined to cooperate. One of the officials on whom he was to provide information was Lieutenant Governor Dymally.

Subsequently, an FBI informant approached the defendant and his attorney and in a taped conference revealed that, acting at the FBI's direction, under threat of being jailed for violating formal probation, he had wire-tapped phone conversations between the defendant and certain Black officials, including the Lieutenant Governor during a time when he was a State Senator.

The informant later stated in a notarized deposition that the defendant had been under constant surveillance by the FBI for several years, not for reasons related to the income tax charges against him, but for the express objective of using the information gathered against the defendant to harass him into obtaining information that could be used against Mervyn Dymally. The informant further stated that the FBI plan failed because the defendant refused to cooperate, and orders were then given to accelerate the harassment until the defendant became cooperative.

When the incidents involving the defendant came to the attention of the presiding judge, he ordered an FBI investigation. The FBI agent involved and the informant were subsequently cited by the judge.*

The FBI informant stated that the FBI attempted to plant a spy in Dymally's office. His Los Angeles office was broken into three times by persons presumably in search of incriminating papers.

Dymally was told by his acquaintance--the defendant--that the U. S. Attorney remarked to him on one occasion that "as soon as Nixon is freed from Watergate," he was going to go after them (an apparent reference to Black officials in California). Dymally's response was not to get involved. As he explains the situation,

> I didn't ever want to be in the position of defending my patriotism because someone accused me of being a Communist. If you fall into that trap, the more you defend yourself, the more your credibility is questioned. So I just walked away from it until the FBI came in to interview me.
>
> What was strange about the FBI interview is they were asking me what I knew about the tap. And I said to them, "You're the one who tapped, you tell me about it."

What was the purpose of this surveillance? Dymally says, "The Strike Force of the Department of Justice was looking around for some Black Watergaters. I had just been elected. The nation is suffering from guilt. Political crime could not be an all-white issue. There had to be some Blacks involved. And they viewed me, I suspect, as a prime target--as someone who was rising in politics and needed to be stopped. Anyway, that's the way the speculation went."

But if the Lieutenant Governor walked away from these incidents, he did not walk away from the harassment of the media.

He issued press releases and held press conferences refuting the charges against him. His press secretary methodically measured the media bias in quantifiable terms--in inches of print; in paragraphs devoted to the charges versus the defense; in the location within the article of Dymally's response; in the page or section of the paper in which the articles appeared; in numbers of articles reporting accusations versus articles reporting results of investigations. While the press secretary wrote memos and letters to the press corps pointing out the more technical measures of deficiency, the Lieutenant Governor spent hour upon hour with reporters painstakingly trying to teach them--to point out their value biases, their inadequate white middle-class perspectives, their insensitivity to the unique role of Black politicians.

---

* The activities of the informant in question are further detailed in an article that appeared in the April 1977 issue of Mother Jones magazine entitled, "The Man the FBI Used to Destroy the Black Movement in Los Angeles."

He found support from the Black press, with San Francisco, Los Angeles, Richmond and Sacramento papers printing articles and editorials chastising white papers--especially the Times--for their mistreatment of the Lieutenant Governor. And for most officials, he points out, "the only resource is good P.R. with ethnic presses." Few Black elected officials have the staff to research and document the attacks as he has been able to do. "Officials who don't have those resources," he says, "have to just run for cover. Even going on the electronic media and talk shows--if they will have you--requires staff to make the calls and arrange the meetings." But helpful as the minority papers are, he points out, "The fact is that the people whose opinions about you have been prejudiced don't read the minority weeklies." Nevertheless, he credits the Black press with having had an impact in reducing the Times attack on him.

Dymally considered suing the Times over some of the UAI related stories and investigations. But he points out the danger in that:

> They take a lengthy deposition in which they go into every aspect of your business and life, and as you respond to the questions truthfully under oath, it is being leaked every day to the same public you are trying to convince. And there is a story from "authorized sources" (involving the personal business of present or former friends and associates). So you end up with more bad publicity. What they will do is stretch the deposition until your re-election time and start leaking this information every time you give a statement.

On one occasion, after winning the primary in October 1974, he went personally to the Times editorial board and gave them a copy of his financial statement. He told them if they had any problems with it, he recommended they do an audit on him, and if they found anything not reflected in his statement, he would resign. Dymally pointed out to them on that occasion that they had already conducted about eight investigations on him. Their response: "We didn't know it was that many. And it's nothing personal..."

The issue became personal enough for the Lt. Governor that he began to change his pattern of response--to "reassess", as he said, "my policy of openness and access."

In September 1976, the Bee ran a lengthy story attempting to implicate Dymally with a Black pharamacist in Los Angeles who was being investigated in connection with--once again--a pre-paid health plan. The pharmacist was a former constituent of Dymally's as a freshman Assembly member who, some twelve years earlier, he had assisted when the pharmacist was seeking parole from a conviction on charges of selling drugs illegally. Dymally had subsequently provided statements in support of the pharmacist's license being restored, and had given him temporary, part-time work while he tried to re-establish himself.

When the pharmacist's name became involved in the investigation of the health plan, checks were made of State files on him, and in that manner Dymally's name came up. Checks were then made--again--of Dymally's campaign statements, and it was found that the pharmacist, and organizations with which he was affiliated, had purchased several tables at a fund-raising dinner for Dymally during his campaign for Lt. Governor.

The Bee story indicated that Dymally had supported State funding for the pre-paid health plan in which the pharmacist was involved, and strongly implied that he did so because he was paid off through campaign contributions. The story was an elaborate fabrication made up of innuendos, bits of information, and outright falsehoods run under the headline, "Campaign Fund Donations? Dymally is Linked to Controversial Pharmacist." Worse, wire service stories run by newspapers all over the State were headlined variously: "Dymally, Dope Dealer Tie Probed"; "Dymally Link to Ex-Opium Dealer Bared"; "Report Details Dymally Association with Known L. A. Crime Figure."

The Lieutenant Governor subsequently requested a meeting with C. K. McClatchy, publisher of the Sacramento Bee. In the meeting, Dymally's approach was much as it had been with the two reporters who had written the story at the time they interviewed him in his office. He tried to point out the grossly unfair implications of the story, the prejudicial tone and innuendos, the total distortion in interpretations and conclusions that had been made. McClatchy refused to engage in dialogue at the level of the Lt. Governor's observations; he declined to speak to the implications and consequences which were at the heart of the Lt. Governor's concerns. He did, however, invite the Lt. Governor to write a rebuttal for publication in the Bee.

In response, Dymally analyzed in some depth the story's errors, not only in fact, but in interpretation. He editorialized on the kinds of constituent needs to which Black politicians are obligated to respond; he argued persuasively the case for Black medical and other professionals providing financial support to Black candidates for public office. And he characterized the impact of the story thusly: "Instead of a responsive public official who once assisted a young black man trying to build a new life in a hostile society, I have become, as the media would have it, a fellow traveler with the criminal underworld dealing in drug traffic."

It was in this same article that Lt. Governor Dymally issued his "declaration" to no longer accommodate the press.

Three months later, in December 1976, the L. A. Times again issued a challenge to battle. The Lt. Governor, in his capacity as Chairman of the Commission for Economic Development, undertook a trade mission to Asia and the South Pacific. His immensely successful three-week trip, at a cost to the State of less than $4,000, received front-page coverage in the countries he visited and prompted highly complimentary cables from American Embassy officials. The Times, in the meantime, printed stories reporting that the Department of State was characterizing his trip as a "junket" and "boondoggle".

A clarification was promptly forthcoming by way of a telegram from the U. S. Embassy in Tokyo to the Department of State in Washington, pointing out that it was, in fact, an L. A. Times Tokyo correspondent--not a State official--who introduced those adjectives. Another telegram from the American Embassy at Papua, New Guinea concluded: "Post officers have at previous posts had experience with political junketeers but based on Lt. Governor's visit, cannot understand how Dymally's trip could be classified that way by U. S. press."

Significantly, at the same time Dymally was involved in the trade mission, a Los Angeles city official was also traveling. He was, in fact, in Tokyo on the same day the Times wrote the story about the Lieutenant Governor. No mention was made in the Times of that official's activities.

A welcome note of comic relief was finally provided during this incident when--ironically--a staunchly conservative columnist, John Pinkerman, expressed this view, under the caption, "Mervyn Dymally Whipping Boy Again", in the Sacramento Union:

> Well, good old Merv Dymally is in trouble again. Trouble comes easily to our Lieutenant Governor, and most of it is manufactured nonsense--manufactured by his sizable number of enemies in the political and journalistic world...
>
> Dymally is being chastised over a junket to the Far East...that will cost the great State of California all of $3,500...Compared to others, Dymally's trip is like a poor man's vacation in Compton, or Oakland, or Chula Vista. Thirty members of the U. S. Senate have made or are on deluxe, between-session junkets over the entire world. The cost to U. S. taxpayers gets into the millions, plus the $75-a-day cash these "public servants" draw from U. S. embassies wherever their luxury jet lands...
>
> (Governor Jerry) Brown spent into the hundreds of thousands of dollars in an abortive dash around the country that sought to defeat Jimmy Carter for the presidential nomination. A major share of what Brown spent was public money, too, and it didn't do as much for California as the $3,500 Dymally receives for airplane fare and other expenses to Asia...
>
> ...Frustrations have come (to Dymally) in the form of a Los Angeles Times "expose" of alleged Federal fund mishandling laid at Dymally's door. The accusations died of lack of evidence but the result was increased efforts by enemies to make the Lieutenant Governor a whipping boy for all manner of mistakes, misdeeds and secret deals--real and imagined.
>
> Dymally thinks he can get some business for California in Asia, just as he got a big chunk of airplane business for state firms in a similar trip to his native Trinidad-Tobago. He may be right, but even if he isn't, it seems that Brown and other enemies are raising an excessive amount of fuss over a $3,500 junket.
>
> ...So, have fun Merv. You need a vacation from your enemies...

On his return from the trip, Dymally reaffirmed his new policy with the media and issued no releases. He did, however, concede a month later, in January 1977, to an interview with a reporter from the Sacramento Bee--on the grounds, he said, that being a woman that reporter might be more sensitive.

In fact, she wrote a straight, accurate story that fairly reflected the interview. The stated purpose of the interview was to assess the Lt. Governor's first two years in office. He listed what he considered his accomplishments. She, in turn, listed them in her story. He paced the floor, pounded the table, and expounded for over an hour on the nightmare of his experiences with racism in the media. She wrote about his views and feelings on racism in the media--as if that measured the first two years of one of the two Black Lieutenant Governors in the history of this nation since Reconstruction. It was a painfully accurate story. And a sorrowful commentary.

Examining incident after incident, the inevitable question lingers and nags: Why? What were the real motives? What are the real reasons? It may have been in part simply an extension of the harassment of the 60's when innovative programs to address the problems of poverty and discrimination came under attack. It may be in part that the Department of Justice was looking for Black "Watergaters". It may be in part that the L. A. Times violently opposes pre-paid health plans. There are other reasons as well.

The incessant rumors floating among the press corps throughout the Fall of 1975 and Spring of 1976 that the Lieutenant Governor's resignation would soon be forthcoming suggest a motive--and indicate that some believed the strategy for realizing the objective was working.

The editorials and letters to the editors that appeared in newspapers throughout the State during Jerry Brown's campaign for President, expressing nervousness and discomfort at the thought of Mervyn Dymally becoming Governor, suggest a motive--and speak to the effectiveness of the Times vendetta.

Still there is the question: "Why?" Lt. Governor Dymally answers,

> One can only speculate. My financial statement doesn't contain any evidence of my having acquired wealth through politics. They may think I'm a big crook. But they have no evidence. If you are making money illegally in politics, it shows up in the way you dress, in the way you live--your life-style changes. It's obvious they have gone through with a fine-tooth comb everything and everybody I know to check and see if there is anything there. And there isn't anything. If there was, I wouldn't be here, I'm sure. I'd be behind bars.

Is there a conspiracy? He answers:

> As I've said, I don't know that a group of editors met in Washington or New York. I do know this: That a group of law enforcement officials met in Washington to conspire to deprive people of their rights. I do know this: That law enforcement agencies feed false information to the press.
>
> An example was when I refused to extradite Timothy Walton. The Los Angeles Police Department leaked the information to the Times, which in itself wasn't bad; in fact, it was a good story for me. But what the police said was that Walton was wanted in California--even though there were no warrants, no arrests, no records against him in California. There is no evidence at all that he was wanted. And yet the Times printed the story that he was wanted in California, just to discredit my act of refusing to extradite.

There are other suggestions of conspiracy. Says Dymally:

> Every reporter I have known in Sacramento, and who was friendly while with the wire services, as soon as he begins working for the Times turns against me. A member of the Sacramento Press Corps told one of my staff members that the Times reporters almost have to commit to going after me as part of their jobs. I have difficulty believing that--but it's been said. And their behavior lends credence.

The Capitol press corps is itself a point of dissension with the Lt. Governor. He points out that, "In the sixteen years I've been up here, there has never been a regular minority member--Black, Chicano, or Asian--in the Capitol press corps. And Sacramento has the second largest press corps in America --next to Washington, D. C."

In what at first appears to be a paradox, the Times is viewed by many persons as a "liberal" newspaper, a circumstance that leads those same persons to conclude that there must be merit in the Times' charges against Dymally. He has an explanation for that, too.

> The press in this country--with a few outstanding exceptions--has historically been conservative and Republican. But the press has now cultivated, as their great believers, the local community whose very issues they have opposed.
>
> For example, the L. A. Times has great credibility with the liberal sector in L. A. Yet, when

> you review the history of the Times--right to work, fair housing, school desegregation, urban renewal--these have all been issues that the Times has opposed. The making of Nixon, the perpetuation of the class system, the rape of the poor--these issues, the Times has championed. And yet the greatest believers, and the people who depend on the news from the Times, are the liberals.
>
> It's a matter of socialization. All you have to do is stroke a person enough, sip cocktails with him enough--the next thing, you have a "true believer." And the people who represent the Times hierarchy are basically white middle-class who sip cocktails with the liberals. Every now and then, the Times permits a liberal to write a guest column, which makes them credible, and important and believable.

Ultimately, the unavoidable answer to the question of "why" comes in two words: race, and power. Elaborating, Dymally answers this way:

> Why? Because I have become an effective Black Democratic voice in Los Angeles who does not dance to the Times' tune, and that is the last thing the Times wants. We moved from two Black legislators to six from South Central Los Angeles; we now are a functioning political community, and the paper can no longer control the shots in Los Angeles.
>
> When I first surfaced in politics in South Central Los Angeles in 1962, Los Angeles County was a predictable Republican County in state and national elections. With the exception of one Black Assemblyman, political power was exclusively in the hands of downtown interests. Today, all that has changed. I am proud of the role I have played in giving Blacks and Chicanos a meaningful voice in government and in building political power in our minority communities, so that today Los Angeles County is predictably Democratic instead of Republican.
>
> I am proud of the fact that I am one of those who broke the back of the Times Republican machine. The Times views me as an aggressive, effective, liberal Black Democratic politician--everything they are against.

That seems as fair and accurate an assessment as any that could be given. There remains to be considered the price that he has paid. And the price, ultimately, must be measured in personal terms.

He concludes a recitation of the innumerable attacks on him on this note: "...And so it went. Constant rumors about indictment. Just miserable. The first year was nightmarish. Everytime I turned around, expecting another story. A week didn't go by that I didn't receive at least one or two calls about some investigation...I got so nervous my skin was almost jumping out of my flesh...It bothers me to the extent that I have a sense of guilt about what people see or think about me now. I'm a little battle-fatigued about it. Because at one time I think I enjoyed a very good reputation in the State.

"What really distresses me is that all of the political controversy in which I have been involved has been around the question of money, alleged misuse of money, or alleged influence-peddling. The fact of the matter is, money has just been an instrument of survival for me. I have really never been motivated by money. I have never set financial gain as an objective in my political career...Money is not a big thing with me...And that is what distresses me about criticism that one reads in the L. A. Times about me.

"The danger of these stories is that it destroys your credibility with a large segment of the public that really doesn't know the facts. When people read the papers, despite their historic reservation and skepticism about the press, they continue to believe the very institution that they are skeptical about. At one time, surveys indicated people distrusted the papers as much as they did the politicians. Ever since Watergate, people have taken the position that not only can they do no wrong, but next to God, it's the media.

"But my friends have now come to the realization that I can do no right so far as the Times is concerned..."

Indeed, one friend, in a letter to the editor, wrote:

> Dymally is a good and decent human being, whose only weakness is that he cares deeply about anybody in need or in trouble. Quite often this commitment and concern for the most neglected and abandoned is mistaken, frowned upon and condemned by many of us in the so-called middle-class, white establishment because we hate to admit that we have blown the opportunity to correct many of the social and economic evils plaguing our society.

> I have known this man since 1959. I know what occupies most of his waking hours. It is aid to aged, jobs, educational opportunities for all, economy in government, equitable tax reform and help for the helpless. He is no self-serving opportunist and any sensitive, intuitive reporter, after five minutes with Dymally, should be impressed with his dedication, humanness and greatness.

That such letters, welcome though they are, have much impact seems unlikely. "I think," he says, "that it is only my innocence that saved me. Nothing else...The pressure has lessened because I've been investigated by so many people and they have followed so many leads with nothing at the end that they've just kind of given up--I think."

How might he have handled the situation differently? "I don't know of any way I would respond differently", he answers. "You have to document your case. But that is putting the burden on the victim, not on the victor. The victim, again, has to defend his innocence while the victor continues to heap abuse upon you."

"If I had it to do all over again, would I do it? To say, 'No,' is to really focus on the dilemma that one faces in this post-Watergate era of political hysteria and all the emphasis on credibility. There are certain areas and certain elected officials who have to take chances in order to focus attention on problems, in order to bring about some practical solutions to the problems. To be careful in urban politics will eventually lead you to doing nothing at all."

To know Merv Dymally is to be incapable of envisioning him ever "doing nothing." He will continue to take chances, continue to seek practical solutions. Not because of any monetary gain. Not because of any irrational anger. Not because of any quest for personal power or esteem. But because he is a marvel of a human being with an indomitable sense of inner security, and a Black man who has the courage to stand up and tell the world when it is wrong.[19]

Memorial to Medgar

When Medgar Evers was assassinated in June 1963, Charles Evers left Chicago and came home to the South...

So begins a crucial chapter in a story that has all the potential for becoming a genuine legend.

Evers returned to Mississippi to succeed his slain brother as State Field Secretary for the NAACP. In 1965, he moved to Fayette, Mississippi--a town of less than 2,000 people, 70% of whom were Black--and began implementing the rhetoric of economic development and Black capitalism, establishing a number of small business enterprises. In 1969, he was drafted, as he explains it, by the citizens of the community, and thereby became the first Black Mayor of a biracial Mississippi town.

His predecessor prepared for the transition, according to Mayor Evers, by bankrupting the town's treasury. Evers' response was three-fold: He loaned $25,000 of his own money to the town to meet basic operating costs; he launched a nation-wide fund raising effort for the Fayette Emergency Fund that brought in donations of $126,000; and he established the Medgar Evers Fund in memory of his brother.

Since its first grants to Fayette in 1970, the Medgar Evers Fund has expended over one million dollars for programs, primarily as local matching funds for Federal grants that have collectively exceeded ten million dollars. A review of the products of these expenditures unavoidably leads one to view the entire town of Fayette as a memorial to Medgar.

The programs and projects include a mobile health unit; a child day care center; paved streets throughout the town, including, for the first time, in low-income Black neighborhoods; the development of three new neighborhoods of moderately-priced, privately constructed, one-family homes; the provision of thousands of books to the high school and public library; the creation of an economic development office to attract industry which has generated over 600 new jobs and secured Federal funds to provide job training; the development of a vocational training center; expansion and modernizing of the sewage and water systems to service all the homes; purchase of an ambulance and mechanical garbage collection truck; provision of college scholarships; establishment of senior citizens and Head Start programs; construction of a comprehensive health center, a multipurpose community center, recreation park, swimming pool and play grounds; modernization of the police department; construction of the 19-building, low-income, Martin Luther King, Jr. Housing Project--which enabled the eradication of all slum housing; and planning and construction of the Medgar Evers Shopping Plaza.

The changes have not all been tangible, have not all been in physical material dimensions. When Evers came into office, he brought with him an all-Black City Council. The Board of Education is Black; the Superintendent is Black; the Election Commissioner is Black; four of the five County Supervisors are Black.

Intangible changes prevail in the social and economic arenas as well as in the political. Children have better educational and more recreational opportunities; youth and adults able and desirous of working have access to jobs; the entire community receives better health care. Citizens doing business with the banks now can deal with Black managers and Black members of the boards of directors. A particular point of pride for Mayor Evers is that "we have law and order now--on an equal basis...It wasn't that way before."

As a matter of fact, he recalls, "Before, it was a hell of a hole here for Black folks. Our biggest problem was the elected officials. The Mayor was an old dirty racist who used to mistreat us. The Sheriff would mistreat us and beat us. The County Supervisor would never fix our roads or give us a decent water system or a health program...We talked about all of that in the Civil Rights Movement. So when I finally decided to settle down somewhere, and time for elections came, I found folks looking around asking who they were going to elect. We needed to get rid of those bad folks; they were all white racists. They asked me to run. So I became the Mayor and took the whole slate in with me. And when you're the Mayor or an elected official here, folks expect certain things out of you."

As might also be expected, the changes did not come about without obstacles. As Evers describes it, "The first two years were hell."

In 1970, the first year after his election, and after it became public knowledge that Evers planned to run for governor, the State began auditing his private businesses for sales taxes--enterprises that by then included small grocery and liquor stores, a laundry, a small restaurant, hotel and lounge. A CPA that Evers hired at the time found that errors had been made in previously filed returns and Evers paid a $5,000 adjustment for a three-year period. Proposals submitted for funding to the State met with constant resistance and opposition. When he then went straight to Washington for funding, State officials were further annoyed. "They started rumors about us; they tried everything to stop what we were doing here," he recalls. The Governor--then John Bell Williams--according to Evers, went so far as to call press conferences warning people not to go to Fayette and accusing the Mayor of harassing people, of taking the law into his own hands. Stories were started that speed-traps had been set up; that hunters coming through town would have their guns taken away from them. When, subsequently, the man who had prosecuted the person accused of killing Medgar Evers became Governor, harassment by State officials slackened.

In the meantime, however, Mayor Evers made his own bid for the governorship. When he announced his candidacy in 1971, attempts were made on his life; shots were fired in his home. Throughout the campaign, an issue was repeatedly made of his morals. Evers asserts that at election time ballots were miscounted by poll workers--all of whom were white--and votes were taken from him in a deliberate effort to make him look bad. His request for an investigation brought no response. "Actually," reflects the Mayor, "I didn't have as much trouble in that campaign as I expected. I think they were stunned that a Black man would even try to run for that office. They couldn't deal with it."

But early in 1972, the Federal government began auditing Evers' tax returns. Then came a criminal investigation. Then, indictment. In June 1975, shortly after Evers announced his intention to run for a State Senate seat, the case came to trial.

Evers was charged with evading income taxes from 1968 through 1970; the IRS claimed he failed to report nearly $160,000 during that time period which he had used for business and property investments and that he evaded $53,000 in taxes. Evers and his attorney asserted that the money in question had been obtained in the late 1950's and early 1960's and that the statute of limitations on taxation had run out. Evers was also accused of "diverting" for personal use $19,000 contributed to the Fayette Emergency Fund. Evers' explanation was that he simply reclaimed the money he had personally loaned the town when he took office. He further argued that of his real income for the period in question, business losses, expenses and other legitimate write-offs left him with a taxable income of some $48,000--not the $180,000 alleged. When the investigation began, Evers readily turned over all his books and records to IRS agents. He was nevertheless charged additionally with giving false explanations to investigating agents, placing property in the names of other persons, and maintaining a double set of books.

After four days, the judge declared a mistrial because of inappropriate testimony by a government agent. A Justice Department attorney was reported to have remarked shortly after hearing the decision of the judge that the government "is fully prepared and awaiting a new trial whenever a new trial date is set by the court." None has been set so far.

Mayor Evers consistently maintained that he was not guilty of "intentionally defrauding the government and that the IRS indictments were aimed at destroying his political backing." He has said he would pay any taxes he owes, but the IRS has declined to accept. Evers says he was told by one of the agents, "We want you--not your money." At any rate, in a criminal indictment, the burden of proof is on the government. There has been no such proof. But the case has not been closed either, and the nonresolution of the case constitutes a form of harassment as well. When Evers applied for an SBA loan, he was told that because of the uncertainty of the IRS situation he wasn't eligible. Evers has further commented that his case is "the same kind of obstacle Blacks have always had to fight...First they came at us with guns and crosses, then they tried to steal our elections, and now it's the IRS..."

Considerable credence was lent to this analysis when it came to light that over two dozen other Black political and civil rights leaders in Mississippi had been audited since the investigation of Evers began. Editorialized the Winston County Journal in Louisville, Mississippi: "This does smack of harassment and makes one wonder just how the IRS is motivated."

Ironically, impetus for the IRS investigation and Department of Justice indictment apparently came at least in part from Evers' own autobiography which he published to assist in raising funds for his campaign for governor. Mayor Evers makes no secret of the fact that he made money as a hustler; his book detailed his days of bootlegging whiskey and his life in the Chicago underworld involving prostitution, the numbers racket, and pay-offs to cops. When a corporation of which Evers was a vice president attempted to gain control of a Jackson, Mississippi television station, officials of the Federal Communications Commission who were apparently familiar with his book requested Evers' IRS records. The IRS then began its own audits of his tax returns.

The transformation from a Chicago hustler to a committed Black elected official is captured in a poignant description by former press secretary, Jason Berry, of what he calls "the odyssey of Charles Evers."

> Charles Evers' second life, one of new hopes and despairs, had begun the day Medgar was buried... His most cherished friend of that period was Robert Kennedy, who, like Medgar, was younger, more intellectual and religious than Charles. But both Evers and Kennedy built their new careers in the shadow of revered brothers. Both men were aggressive and held fiercely romantic visions of America. In his time, Robert Kennedy became Charles Evers' alter ego. At the funeral of Martin Luther King, Evers wept in Kennedy's arms. Three months later, in a crowded Los Angeles hotel, he was standing a few feet from Kennedy when the bullet shattered his brain. Kennedy's death was a turning point in Evers'

> life. He decided to seek office, and was elected Mayor of tiny Fayette in 1969. His work there and the economic prosperity it has produced are one of the enduring success stories of the New South...

The symbols of this odyssey are to be found in the photographs of Kennedy, King and Medgar--in the awards and certificates of appreciation for his efforts to realize their goals--that cover the walls of Mayor Evers' office. Remarkable as the odyssey has been, it has not necessarily made him popular. If the definition of a hustler is taken to be one who does what he wants to do and does it his own way, Charles Evers is still a hustler. He is as irascible as he is tender-hearted, and he has alienated an amazingly diverse array of people.

While some view him almost as a folk hero, others have charged him with "bossism" in his own town of Fayette. While poor Blacks, and many poor whites as well, are inclined to embrace him without regard to his past, numerous white liberals and professional Blacks have taken issue with his pragmatic decisions to support Governor Wallace and President Nixon at what seemed to him opportune moments.

But Mayor Evers doesn't seek to be popular. His position is, "It doesn't matter what people say. You offset what is said about you by being honest, by being fair." One detects only candor and no deception when he says, in effect, "This is how I made it. This is who I am. I don't hide it from the people. And they relate to that..." He adds, "I'm not a saint. I'm an S.O.B. in many ways. But I'm honest about it...I'm the biggest servant Fayette has. My job is to attract industry, create jobs, assure good health, provide police protection...to serve the community."

But the impact of his efforts extends beyond Fayette. His implementation of compulsory education and gun control in Fayette, both positions strongly opposed by the State, incurred considerable disfavor. He continues to be active in civil rights efforts, and was centrally involved in reorganizing the Port Gibson, Mississippi boycotts during the NAACP court battles there. He was identified by the Senate Intelligence Committee as one of those on the "enemies list."

He attributes the harassment he has received largely to his being a civil rights activist. As he puts it, "I march and I picket and I boycott as much as I did when I was with the NAACP. I've stepped on a lot of big shots' toes; I expose a lot of people--publicly--and I make a lot of folks mad... They're after me. They mean to get me one way or another." And he acknowledges a pattern of harassment of outspoken

Black officials. "The problems differ," he suggests, "depending on geographical location. But anytime you try to change something, you're going to be harassed. Anyone who thinks something is going to be given to them without any problem at all is crazy as hell...You get a little power, a little authority, a little money--and you become a 'troublemaker'...But you've got to be concerned about the welfare of your constituents; you've got to be willing to expose and change the system. You have to produce; you've got to deliver in this business or they'll cut you to pieces."

The only defense, he insists, is to "keep fighting and raise hell. Don't apologize. Don't give in. Don't stop." Then, emphatically, "Be honest with yourself." And he adds, "Each case is unique. Each individual does it their own way. There is no one prescription...But you have to be independent; you can't be dependent economically or any other way. Be your own person." And finally, "The most important thing, the one common denominator, is to remember why we are here: to make life better for those who need it."

Whatever reactions may be evoked by his past, his personality, or his politics, one overwhelming impression that cannot be set aside is that Mayor Evers lives for change and for justice. He symbolizes in his own unique way the unsung movement--the tenacious efforts still going on in small communities across the South to keep the spirit of the struggle alive. One of the most regrettable consequences of the publicity about the IRS charges against him has been the suspicions created that money from the Medgar Evers Fund had been used for the Mayor's campaigns, suspicions that in turn led to diminished contributions. But it is a mistake to attach significance solely to the Fund. In truth, it is not just the Fund, not just the projects, not just the town of Fayette that constitute the memorials to Medgar. It is Charles Evers himself. Every day of his life is a memorial to Medgar.[20]

Progress in the South

"Seated downtown in an office too small for both his size and his zeal is a man keeping the city strong... Mayor Jackson's strength is derived largely from a basic sense of duty, decency, humanism, and a theological orientation toward people of all races. Those facts are being obscured." So writes Dr. Charles King, president of the Atlanta Urban Crisis Center. The facts have been obscured in large measure by what Congressman William Clay has described as "unconscionable, almost daily attacks by the Atlanta papers." Elaborating, Dr. King says, "The downplaying of press releases from the Mayor's office, plus the silence and lack of public support given to the Mayor by the white power structures who utilize his power and talents, results in a one dimensional view of his office by white Atlantans. Instead, the white media highlight issues designed to weaken his power, question his integrity, and rip his staff asunder."

Principally at issue are the Atlanta Constitution and the Atlanta Journal, and to a lesser extent, the local NBC affiliate, Channel 2--all of which are owned by the same company, Cox Broadcasting Corporation. Generally speaking, says the Mayor, "I would say that radio and TV are more responsive. They are regulated; they have to respond on their license renewals every three years; and I think they were clearly fairer in their treatment of the administration." The newspapers, however, fully exploited their advantage in an unequal power relation, unequal in that, as the Mayor learned, there was no way to rebut their charges, because of the absence of an equal forum and an equal capacity for speaking to the public.

Tracing the impetus for the attacks on him and his administration, Maynard Jackson notes "the confluence of these circumstances": He was the first Black Mayor of Atlanta; he came into office with a new city charter which mandated radical changes, putting all administrative responsibilities under the Mayor as chief executive; at around the same time, Atlanta became a predominantly Black city; the City Council became 50% Black; the Board of Education became majority Black. "All of these factors," he recalls, "came together at the same time and the anxiety of the white community, I think, was quite high."

The anxiety came to be personified in one man, Reg Murphy, editor of the Atlanta Constitution. His hatred of Maynard Jackson, in turn, was epitomized in a seven-part series run in March 1975 by the Constitution called "A City in Crisis" --a project that Dr. King characterized as "an abominable series of suicidal articles...which was presented...as a thinly disguised attack on the current administration." The "editor's note" prefacing the series read as follows: "Throughout the Sixties, Atlanta was Camelot. Spared serious racial turmoil and blessed with experienced leadership, the city became a great center of commerce and a mecca for emerging blacks. Today, political power has shifted. New leadership wrestles new problems. There are tensions among the people. Camelot has faded."

The series was guided by Executive City Editor Bill Shipp-- "whose objectivity," as the Mayor puts it, "leaves much to be desired"--and was based largely on interviews with persons who belonged to the "old guard" who had run the city in past years. Notes Mayor Jackson's press secretary, "The newspaper went so far as to interview its own publisher, Jack Tarver, who considers himself one of the downtown power brokers who used to sit around the Commerce Club and determine city policy."

Asserted the first article in the series, "The Jackson administration continues to stumble from one scandal to another...Much of the trouble has been wrought by Jackson's appointment of an old school chum, A. Reginald Eaves, to the sensitive new position of public safety commissioner..." The article then detailed a series of incidents of alleged incompetence or corruption involving Eaves and the police department--incidents that had all been projected by the media as reflecting negatively on Jackson. Criticism was also levied that the schools were deteriorating, whites were fleeing, and business representatives were replaced on the regional transit board (MARTA) by black ministers and college professors.

The entire thrust of the series was that under white political dominance, the city was thriving; under a Black Mayor, the city was suddenly beset with problems--problems of crisis proportion. In fact, the problems that were cited had been there before Jackson came into office. In fact, some of the problems, under his administration, had diminished. The series, for example, talked about the crime rates going up--when under his administration the crime rate had dramatically dropped.

The issue of crime in Atlanta was for a long time a favorite news focus of the papers--until the disparity between portrayal of this issue as a negative characteristic of the city and the reality of diminishing crime became so blatant that the newspapers had to relent. That the matter of police control was a highly sensitive subject was made apparent, however, when Mayor Jackson attempted to fire the chief of police, and again when, in a briefing with newspaper editors, he announced his intent to appoint a Black man, Reginald Eaves, Commissioner of the new Department of Public Safety.

Recalls the Mayor, "Reg Murphy, in my presence, when I told him beforehand what I was planning to do, had a visceral, physical reaction. He flushed. He turned angry. And that was the last straw as far as he was concerned." The appointment of Reginald Eaves became a target of relentless attack. Says the Mayor, "They distorted the facts, I think, on purpose. For example, they kept saying that Eaves had been my roommate and I kept saying publicly he never was my roommate. We went to college together in the same class, and in the seventeen years following our graduation from Morehouse College, I saw Eaves maybe twice...Meanwhile, the

Sheriff of Fulton County made his son the Chief Deputy Sheriff. There was one small article of about eight lines on that issue."

Elaborating on the extent of the double standard employed by the media, Mayor Jackson points out that, "The governors of the State of Georgia, for the past two or three terms, have had their law partners as chiefs of staff. They have hired cousins and nephews and other relatives. We've never done that. Never. I have some extremely talented relatives whom I'd like to see in government, but I won't even consider them for reasons of avoiding even the appearance of impropriety."

Apparently the only way the Mayor could have avoided being accused of impropriety would have been to leave office. Shortly after the "City in Crisis" series, the publisher of the Constitution, Mr. Tarver, began writing a personal column in the Sunday paper. The column consisted, for the most part, of unrestrained attacks on Mayor Jackson, both personally and as an elected official.

Contrasting the two newspapers, the Mayor observes that the Journal was, by comparison, "a bit fairer; that does not mean it was fair or objective absolutely speaking." And he notes that the papers apparently succeed, to some extent, in separating their news reporting from their editorializing. Nevertheless, he points out, "You had incompetence among many, though not all, of the reporters. There was lack of objectivity. There was definitely a bias." The combination of the biased reporting and vindictive editorializing led Dr. King to this analysis:

> The Atlantic Constitution reflects and reports on the problems of the City of Atlanta. What it has not recognized is the fact that the Constitution is the source of the problems that they report. Its national and international reputation laboriously built by the late Ralph McGill has dissipated to the levels of racist orientations and meek apologies for its brief spurts of liberalism. The Constitution manipulates Atlanta. It reflects the age of the great white Atlanta has-beens, whose brick and mortar mentality constructed a city without a soul. Now that the city has a soul, it refuses to feel. The lack of feeling on the part of the Constitution is emphatically denoted by the "one man's opinion" Sunday column by publisher Jack Tarver. The vitriolic outpouring of his unconcealed hatred of the black administration, assisted by cartoons sketched by Baldy, sets the tenor and the direction of the Constitution's reportorial staff.

> ...The Atlanta Constitution refuses to prick or disturb the conscience of its white leadership, and consistently probes and seeks weaknesses of black leadership...It runs vendettas against black leadership, and only supports black leadership editorially when that leadership argues against other blacks, or supports the cause of white needs by echoing their own white institutional concerns.

That the harassment by the media has diminished in the past year, Mayor Jackson attributes to two factors: The departure of Reg Murphy, and the damage that was being done to the city's image--and he sees the two factors as interrelated. Surmises the Mayor, "The attacks on this administration were so vicious, so unreasoned, and so subjective that I believe to this day that it was made possible for Reg Murphy to be eased on out." Explaining, he says:

> Reg Murphy had another major deficiency, in addition to being completely unobjective about me and this administration; in addition to being, I believe, a flat-out racist; in addition to not even living in the city. In addition to his having those other deficiencies, he also didn't have much talent and Murphy began to hurt the City of Atlanta.
>
> What happened was that national articles began to quote the Atlanta Constitution. We began to get bad national press on the city and the national press cited as proof the local newspapers --the Constitution, in particular. And that's when I think the power structure stepped in.
>
> While we are a city that is considered by other mayors, nation-wide, to be one of the most successful cities in the nation, this city itself almost became self-destructive because of the way the newspapers have treated our image. Our image is very dearly guarded. When things really got out of hand, because of the newspapers, the power structure then began to say (to Murphy), "You need to cool off...You're really hurting the city."
>
> So finally Murphy left town. From that date, things began to get a little better. Editorially, in the Constitution, there was no question. The new editor, Hal Gulliver, is a fairer and more talented person. So things have now improved. People understand the need to sell the city and not try to destroy it because of a Black Mayor or half Black city council.

In essence, it seems, the white power structure that maintained economic control of the city saw its way clear to come to the defense of a Black administration once their vested economic interests were threatened. Those interests, however, have been perceived as also being threatened in quite another manner, and so it is that the Mayor contends today with yet another form of harassment. This harassment comes in the guise of charges of "reverse discrimination." Reports the Mayor:

> Now there is a growing harassment, as I see it, on the question of affirmative action by this administration. A federal grand jury has been investigating us for almost a year (as of October 1976) to see whether or not we are guilty of reverse discrimination. A judge of the Fulton County Superior Court, the Atlanta judicial circuit, charged the current term of the Fulton County Grand Jury to investigate reverse racism in city government.
>
> That's the first time, to my knowledge, in the history of the State of Georgia, that any Superior Court Judge--which is the main court of general criminal-civil jurisdiction in the state court system--ever has charged any grand jury to investigate any kind of racial discrimination: racism or reverse racism.
>
> What has been of concern is that we have raised Black construction contracts by 500 percent in two and three-quarter years, which means that we now have it all the way up to two and one-half percent (of the total city contracts).
>
> There are now two grand jury investigations in process and four law suits against this administration because of our trying to get Blacks into a system of fair competition. We are not preferring Black people over white people. I cannot do that, in my opinion, legally or morally. I think my job is to kick down the door of discrimination and to make sure that Black people may compete fairly. And that's all we're doing.

The extent to which this issue has dominated the Jackson administration--and the perspective from which it is viewed by much of the city under his administration--is perhaps suggested in an appraisal that appeared in the October 23, 1976 issue of the Atlanta Journal and Constitution: "No sooner had Mayor Maynard Jackson grabbed the political plum for blacks in 1974 than he set on a course of allowing minorities to partake of Atlanta's economic pie as well.

Call it affirmative action, joint venture, equal opportunity or minority participation. It has become the hallmark of the 33-month-old Jackson Administration. Some, those persons whom Jackson labels 'bigots and fear mongers,' have protested of reverse discrimination. Some accuse Jackson of using City Hall to affect social change, when City Hall should stick to picking up garbage and patrolling city streets..."

Whether Mayor Jackson succeeds in "affecting social change," whether minorities will be "allowed to partake," remains to be seen. One person, again Charles King, predicts that "until we pause and examine our present, it will be impossible to achieve the future. If we fail to place the media, whites, blacks and the Mayor in their proper perspectives, it will lead to the demise of a city and the failure of a man whom we elected to lead us, and to a dilution of the honors that should be his just reward."

Jackson is not prone to deny that the first three years as Mayor of Atlanta were anything but tranquil. With characteristic control and reason, and a touch of understatement, he says, "When you combine the difficulties that a white man--even a member of the power structure--would have had with a new city charter that created a radically different form of government, with the national recession, and the tremendously damaging job done on the city by the Atlanta Constitution and Journal in an attempt to get this administration, you can see that we had a most difficult time."

But he remains undaunted. "I don't accept," he asserts, "the idea that Black people cannot govern. People cite (certain cities) as examples of what happens under a Black administration. That is grossly unfair. The cities were raped before there ever were Black mayors. I think we're showing here that we can govern in a successful city; we can maintain our fiscal integrity and strong position, and at the same time make dramatic changes in how this government operates--even from an efficiency point of view."

He observes, though, on a semi-humorous note: "You don't have to be crazy to be a mayor. But it helps. And to be a Black mayor, you really have to almost be a masochist." Pausing, he then adds, on an entirely sober note: "For Black mayors to even take on this challenge now ought to make people stand up and say, 'Thank you,' a thousand times..."[21]

Plantations In The North

Charles Freeman Joseph, Mayor-in-exile, Benton Harbor, Michigan, begins his story this way:

> I am a member of the Republican party. I am referred to many times as a Democrat in disguise. And I don't mind being called a Democrat at all because my whole family is Democratic. I joined the Republican Party to try to help my people.
>
> When I was elected by a landslide victory in 1971, the white power structure--which was made up of the Chamber of Commerce and other business sector representatives--thought I was the kind of person who would play the role of a "spook by the door." They felt that if anybody could control people in the community, the Blacks who were "rampaging" and tearing up schools and fighting for better housing, maybe I was that person.
>
> But when I said that the system is wrong and unjust, and that the Chamber of Commerce is wrong, and that big business is wrong in the way they deal with economic and political problems, and that the news media is wrong in how it reports the news on Blacks and the poor, and that the white power structure is wrong, and that the Republican Party in Berrien County is wrong...Well, I found that those were the wrong things to say...especially in public to the poor and Blacks.

Chuck Joseph's description of the setting in which the rest of the scenario is played out reads like a fictionalized account of the Old South. Berrien County, in which Benton Harbor is located, is, according to Joseph, for all practical purposes a "company county"--the controlling company being Whirlpool Corporation. The city staff is 80 percent white. Benton Harbor is 80 percent Black. The remainder of the county is less than twenty percent Black. The neighboring city, St. Joseph, separated from Benton Harbor only by a river, is less than one percent Black. The unemployment rate in Benton Harbor runs at around 25 percent. Forty-eight percent of the residents receive some form of public assistance; 27 percent receive AFDC--the highest per capita rate in the nation; 12 percent are senior citizens; 38 percent of the housing is substandard. The county as a whole is among the richest in the State.

For generations, the residents of Benton Harbor had been employed primarily as domestic, factory, or farm workers in the surrounding white communities of the county, and particularly in St. Joseph. An editorial in the local newspaper during Mayor Joseph's administration characterized St. Joseph as "the living room," and Benton Harbor as "the kitchen." The educational level of Benton Harbor residents is generally low. They are largely unskilled. They are subjected to, and susceptible to, economic and psychological intimidation by the "company" and its agents. Joseph describes the setting as "a modern-day plantation--socially, economically, politically and educationally. The people are enslaved by the system--which is to say, the Chamber of Commerce, Whirlpool Corporation, and an all-white industrial and business organization called the Area Resources Improvement Council."

When Mayor Joseph came into office he inherited an antiquated set of traditions and relationships designed to maintain the master-servant relationship on a systemic, institutionalized scale. Whirlpool Corporation, in conjunction with other businesses, according to Joseph, controlled the political system. They picked the candidates for office and chose the appointees to the boards and commissions. Joseph was an employee of Whirlpool and he was one of the chosen. He campaigned, however, on a thirteen point platform that was not endorsed by the power structure--a platform that called for increasing efficiency, cutting costs of government, improving the economic stability of the city, reducing crime, and making employees accountable.

Joseph's predecessor, who was in office as Mayor for fourteen years, and who also was a Whirlpool employee, had complied with company policy. The city manager during most of his own administration complied. Most of the city employees he had to work with--particularly in the Police Department--complied. Fewer than five of the Department heads were Black. For years, city facilities and public works had been allowed to deteriorate. Local tax revenues, as well as Federal funds, had been diverted to other portions of the county. The Benton Harbor school district was kept segregated. This design was carried out by absentee landlords, businessmen residing outside of city limits, county officials who controlled the local law enforcement and judicial systems, and the news media. While this was occurring, businesses were being encouraged by lending agencies to move out of Benton Harbor. Failure to do so meant inability to obtain loans. Some moved to an industrial park outside the city; others are moving to a new mall planned outside the city.

Joseph spent the years of his first term in office trying to untangle the web of intrigue, "deals" and corruption that were suffocating his city, and then building a power base to protect the interests of Black and poor people in Benton Harbor. As he began to build the necessary systems to provide remedies for the town's problems, the power structure mounted its assault.

"The first nine months of my administration," he says, "City Hall was practically under seige." And throughout the four years, "I was under constant daily attack and pressure. If it wasn't by the media, it was by the Chamber of Commerce or the Area Resources Improvement Council, whose Board of Directors included the editor of the lone newspaper, the Herald Palladium. We were attacked behind closed doors and through governmental agencies. Programs were stopped. Plans to begin new services were sabotaged. And the harassment came from other members of the Council as well, one of whom we believed was being paid to disrupt meetings. I was under constant surveillance by city and county law enforcement officers. I was certain my office phones were bugged. My family constantly received threatening phone calls from people saying, 'We're going to kill the Black son-of-a bitch', or 'Tell him he's a dead man.' For six months, I had the phones monitored and the calls stopped. As soon as we stopped monitoring, the calls started again."

Mayor Joseph describes the role played by Blacks "whose philosophy was to destroy if they couldn't control." The white community, he says, joined forces with and exploited the dissenting Black element. "The same people who had been condemned during the riots of the Sixties suddenly found themselves being supported by the same group of business people in the county government, who were predominantly Republican, white and very conservative." Two of the Blacks in question became leaders in the fight against Joseph; each of them, along with a third white leader, was reportedly paid several thousand dollars by the white power structure.

The Black community as a whole grew restless as charges against the Mayor accelerated. Asks the Mayor, "How do you counteract the malicious, undermining, and vicious rumors and slurs--when you have pledged integrity in office and have personal commitments to carry out the functions of your office? How do you continue to work dutifully on monumental problems that you were elected to confront, when your efforts are being counteracted by violence surrounding your office and you have no police protection? How do you protect your workers and supporters when the 'establishment' has the necessary 'pressure points' on local law enforcement to render them useless? How do you point out the deceit and trickery of the powerful to the powerless when the citizenry is frustrated and frightened because of pressure and threats from the power structure? How do you counteract stronghanded coercion against individual citizens when their fear is too great to admit it, and you can offer nothing by way of immediate remedy or even protection from threats of personal harm, loss of savings, loan foreclosures, bad credit, and loss of jobs?"

Elaborating on the magnitude of intimidation, Joseph points out that "most of the citizens in the Benton Harbor community were vulnerable to some form of pressure. Either they were poor and receiving government assistance which met with undue investigations, delay of payments, continuous re-evaluation of their needs and exposure of their financial plight by the news media. Or they were labeled a Joseph supporter by their employer and met with job transfers, layoffs, or undue disciplinary action. Or they were indebted to banks or a local mortgage company, one of the few lending agencies, or to the credit union, and received foreclosure notices, suspended credit and law suits for collection that were given front page newspaper coverage complete with photographs."

In spite of these obstacles, and notwithstanding a sentiment of disappointment among his constituents that he did not deliver sufficiently or quickly enough, Joseph did have some successes. He developed a community recreational center "so the poor and minorities no longer had to depend on the charity of the more affluent communities who 'tolerated' their visitations." The police department was moved from the basement of city hall into new quarters. A senior citizens' program was launched. Minorities were appointed to boards and commissions and given an opportunity to participate in the governing process and assist in the decision-making. Loans were provided for small business assistance. Stricter housing codes were enforced.

Then, as the Mayor describes it, as some citizens began to see the potential for better living conditions, needed city services and effective government, they began to protest the unequal disbursement of county funds; the lack of representation from Benton Harbor; the blatant discriminatory, racist attacks from outside forces; and the county's use of political clout with the Republican administrations to cut off funds, alter reports and block investigations.

Unable to muster the needed resources locally, Joseph turned to the State and Federal governments and national organizations for help. He invested great amounts of time cultivating relationships with HUD, HEW, the Transportation Department, the National League of Cities, the National Training and Development Corporation, the Agriculture Department, the Departments of Labor and Commerce, the National Business League, and State agencies and officials.

As Mayor Joseph's first term came to an end, he was inclined not to run for re-election. But he had been convinced to run originally by a group of high school students, and since other prospective candidates for the office all had questionable records, he agreed to run again. He ran, he says, "with the feeling that if I won I would be recalled or assassinated. I had said in 1972 that I would only serve one term because if I ran again and did the job the way it should be done, I would either be killed or impeached."

He did win, and shortly thereafter his battle with the power structure came to a head. Early in 1975, he proposed a plan to build multi-family middle income housing on urban renewal land that was already cleared and appropriately zoned. The Mayor met in January 1975 with some 80 representatives of the business community to brief them on the plans. As Joseph recalls, they asked if the tenants would be welfare recipients and if the developer were Black or white. They said nothing more for three months. On April 28, representatives of the business community and the newspaper came to a city meeting and informed him they didn't want the housing built. Prior to the meeting, members of the Council had been contacted by businessmen who opposed the housing project. Only one council member showed up at the meeting--the member who was already opposed to the development.

The newspaper editor told the Mayor he was "moving too fast." The president of the bank where Joseph had all his personal loans took him to breakfast and told the Mayor he wanted him to vote against the housing program. Joseph replied that he couldn't do that.

On June 11, the paper ran an editorial headlined, "Whatever Happened to Nice Guy Chuck Joseph." From June 11 to December 31, recalls Joseph, "There were a total of eleven editorials attacking me, my administration, and anybody who agreed with me in the direction we were going."

The thrust of the objections of the business sector, according to Joseph, was that "'colored' people always over populated and they would decrease the value of their businesses half a mile away." Some of the businessmen told the Mayor privately that they didn't agree with what was being done to him but there was nothing they could do about it. "We have to survive," they said, "and they are more powerful than we are." Angered by the charges, however, the citizenry organized a Citizen's Community Coalition, circulated petitions that were submitted to Federal officials requesting assistance, and even organized a delegation of over 50 people to go to Washington and protest the actions of the local power structure. Joseph recalls that "the Republican administration--after talking with the State and county Republican organizations--did nothing," except that "regional personnel stalled investigations."

Meanwhile, according to Joseph, minority businesses in the community were refused loans. The Chamber of Commerce wrote the FHA, HUD and the Michigan Housing Authority asking that no housing be approved for Benton Harbor. The newspaper went to the county prosecutor. The prosecutor sent an investigator to Chicago to investigate the proposed developer, who was Black. They went to all of his suppliers, all of his financial backers. They found an attorney for the developer had once entered a plea of guilty to a charge of bribing a zoning official in Chicago. And they attacked the developer in the paper. (The contract was subsequently cancelled by the new Mayor and Commission as soon as they took office.)

Then, says Joseph, "for the first time in the history of the county, they established a citizens' Grand Jury to provide the legal pressures and judicial harassment. They called me in, and they called in anybody who they thought might be able to give them information to pin something on me. I was told that they promised some members of the police department that if they helped get me they would be left alone."

To counteract these actions, a three-page telegram was sent September 19 to various State and Federal agencies lodging complaints of misuse of funds and violation of equal opportunity laws against the county government, and requesting that all funding be suspended until a thorough investigation was conducted. The telegram was signed by the Mayor, two Berrien County Commissioners--one of whom was the Mayor's brother--the chairperson of the county action agency, and the chairperson of the local NAACP. Says Joseph, "We got an answer from the Justice Department saying they needed more specific information. We got an answer from the State Attorney General saying they were looking into it. We got answers from HUD and Commerce and Labor saying they were looking into it. But nobody did anything. Not until 1976 did the U. S. Civil Rights Commission start to look into every charge we made in the telegram. And they are finding now that the charges are true. If they weren't true then, they are now, because they came out of the woodwork when the Federal agencies refused or declined to act." (In 1977, the U. S. Rights Civil Rights Commission, based on its investigation, requested that the Civil Rights Division of the U. S. Department of Justice conduct a criminal investigation of events that had transpired in Berrien County. The request was denied.)

In December 1975, Joseph and four Council members voted not to renew the City Manager's contract. A recall effort was immediately announced, charging nepotism, malfeasance in office, and interference in the administrative process. Throughout the campaign, says Joseph, the newspaper repeatedly printed derogatory articles and editorials. Crimes that Joseph supporters reported were ignored by the Benton Harbor police and by the county prosecutor and judges. Officials were promised better jobs to oppose Joseph. Mail from supporters requesting public information was subverted by bureaucrats who supported his opposition. Citizens were subjected to personal threats and public ridicule. An appeal to State authorities to intervene brought responses that they could not "afford" to become involved. When Joseph and other staff members filed police reports as a result of an attack on them that took place in city hall, the prosecutor replied, as Joseph recalls, that he did not wish to become involved in a "political hassle." Joseph describes the climate of the recall effort thusly:

> That last week prior to the election, money began to surface. Addicts began to gleefully hint of their new personal fortune as a result of their assistance in the recall. Illegal bullhorns, signs and other propaganda representing thousands of dollars that poor blacks could never afford began to fill the streets. Parties and other inducements were offered throughout the community for recall supporters.
>
> An injunction filed on my behalf against the illegal procedures used in filing the petitions and the forged signatures was ignored. Requests for state assistance went unanswered. The City Clerk denied my supporters their right to have challengers at the polls.
>
> The day of the recall was characterized by illegal and unethical practices. Joseph supporters were harassed at the polls by police officers. Citizens signed affidavits that they had been tricked into signing petitions. Official city poll workers, who were apparently paid additional compensation, tricked voters into voting against the Mayor by exploiting their ignorance of the procedure and confusing them.
>
> As the day drew to a close and early returns indicated I was losing, recallers chanted and filled city hall. They were accompanied by some city police. The disturbance and threats grew to the point that I had to be escorted from city hall by State troopers who had been summoned for assistance by a local minister.
>
> The rejoicing of the political overthrow was climaxed by financial support of elaborate parties, while key leaders of the overthrow immediately came into small fortunes, new automobiles and patronage jobs. The outside political forces and businessmen, in exchange for what it cost to oust me, were once again able to control the Blacks...

The recall, points out Mayor Joseph, was not just of him, but of "an entire power base." Recalled along with the

Mayor were three other members of the Council who had supported him, two Black and one white. A fourth member succeeded in defeating the recall attempt. Three months later, however, another Joseph supporter, a Black woman, was recalled. Joseph charges that the recall was illegal in that State law prohibits the circulation of petitions on the chief executive within the first ninety days of the term, while signatures for his recall were collected starting forty-five days into his term. Efforts to have the recall declared invalid were to no avail.

> We went to the County Prosecutor. He said, "I don't want to get involved." We went to the State Attorney. He wrote a nice letter back saying, "I haven't made up my mind." We went to the Federal agencies. They said, "It's out of our jurisdiction."

Said Joseph some time ago, "We're taking it to Federal Court, and we know we'll win because the law is very specific." He has attempted to organize a national defense committee and raise funds to fight the case. But to date, the Mayor of Benton Harbor remains in exile. He has not, however, been silenced. He is most willing to speak out, and his remarks extend to what he perceives as a national pattern.

"There is a phase of destruction going on in this country that ought to be challenged and ought to be spoken to. Such things as conspiracies and assassination plots are not mere myths," he argues.

"One paper," he says, "made known that there had been a plot to assassinate me. The thrust of the headline was that there were only two people in the city concerned about an assassination plot against my life--myself, and a member of the council. But since that time, we have names of people allegedly involved and the name of the man who allegedly put up $500. Their problem, it seems, was finding a Black to do the killing. It was supposed to have taken place during a mass meeting I conducted. I wondered why there were no whites at that meeting; they had all been told to stay away because I was supposed to die that night."

He recalls the Grand Jury investigations--a Grand Jury made up entirely of whites--when he was interrogated about his travel to Washington, about the sources of his money, about whether he was getting paid by some specific Black national leaders, and about his creditors when he insisted he was using his profit-sharing in Whirlpool and borrowing money and that he "owed everybody in town."

"When they call you before the Grand Jury," he says, "and are trying to find charges, they keep leaking the information.

This is what happened to me. Every personal bill I owed was questioned in the newspaper. Every day prior to the May 19 recall election, according to people connected to the prosecutor, I was 'going to be indicted.' Since the election, the Grand Jury has been dismissed and nothing more has been said. But it had its impact on the people. The Mayor was viewed as being guilty. So they voted to get me out."

That there was a conspiracy involved at the local level to eliminate Chuck Joseph hardly seems debatable. The effort was organized, planned, coordinated. It was deliberate and intentional.

Joseph speaks as well of a kind of "benign neglect" conspiracy that is directed toward urban areas, toward predominantly Black populated cities, toward local Black administrations. The conspiracy is manifested, he suggests, in Federal policy toward the cities, in the manner of disbursement of Federal funds, in the toleration of violations of regulations, in the refusal to respond to appeals for assistance. "The Republican administrations," he charges, "kept all the Black mayors they could in a position of just barely surviving. The rising number of Black elected officials became a threat. Most of them are Democrats. And those of us who are Republicans aren't really accepted as such."

The harassment, however, did not stop when Joseph ceased functioning as the Mayor. He attempted to establish a business in Chicago after he left office, and Detroit and Chicago newspapers began printing stories that he had used public funds for personal gain. "Actually," he says, "I paid the city to serve as Mayor. I received five-dollars-a-week pay for what were often fifty or sixty-hour work weeks."

Reflecting on his experiences, the Mayor insists he would not, in retrospect, do things much differently. "I was convinced I couldn't sell out. I would, however, if I were doing it over, go to court sooner. I would be more careful in my personnel appointments; I would look for sensitivity and commitment rather than college degrees. And I would try to build a support group so I wouldn't be out front alone so much."

Summarizing the impact of the experiences, he says, "I no longer believe the American system is what I thought it was. I have been associated with the military in one capacity or another for twenty-five years. I have five honorable discharges. I was a member of the security task forces of three Presidents--Eisenhower, Kennedy and Johnson--over a six-year period. But I was treated here as a criminal. If I'd been a thief, a crook, a liar and a cheat, I'd be still Mayor...If I were white, I would not have been treated the way I was. It was blatant racism--both personal and institutionalized. It was built into the whole system--into Whirlpool, the Chamber of Commerce, the financial institutions, the county government, the newspaper. I couldn't fight back. They just beat the hell out of me. And they violated every right I had...Democracy will never be in this country until we have a generation of people disassociated from money and power...I survive only on hope..."

That hope is vested largely in the current administration, in the belief that it will bring changes. "A man from the South," he reasons, "should have the compassion to understand the plight of Blacks...The future of Black officials rests with this compassion, and with the national tone that it sets."

He closes his story with a warning:

> We are facing a massive attack that is going to lead to a holocaust unless we get a handle on it. The young people in this country are certainly not going to sit by and endure what we are taking if those in control of the power--the Justice Department, the President, and all the others--continue to say, as has occurred in the past, that they don't want to get involved, or they don't have jurisdiction.
>
> The possibility of a holocaust is a reality in this country if the harassment and intimidation continues by the IRS--who called me in, too--and all the other agencies. And incidentally, the harassment is not restricted to Blacks, and minorities and the poor. Those who support us are harassed, too. The white businessmen who supported me found themselves going out of business because they couldn't get money...
>
> ...If we are to avoid a second post-Reconstruction, it is time for us to stand up and tell big business to stop running our governments.[22]

The Price of Law and Order

In their book, Black Power: The Politics of Liberation in America, Stokely Carmichael and Charles Hamilton devoted an entire chapter to Tuskegee, Alabama and entitled it, "The Politics of Deference." Reflecting on the unique history of Tuskegee--the home of Booker T. Washington, the work of George Washington Carver, the presence of Tuskegee Institute, the nation's first all-Black-staffed Veterans' Administration Hospital, the cite of the first training base for Black Air

Force pilots, the first community to be investigated by the United States Commission on Civil Rights; and observing the unique characteristics of the population--majority Black since the nineteenth century, predominantly middle class educationally, and economically influential--they lamented that rather than becoming a model of Black power politics, Blacks in Tuskegee had opted for joining the Democratic machine, practicing the politics of deference that left whites in control of political power. That was in 1967.

Since that time, Tuskegee--and Macon County, in which it is located--has found itself with a Black Mayor, a Black State Representative, a Black County Court Clerk, a Black Sheriff --all of whom have experienced harassment to some degree, in one form or another. These four officials have not always worked in unity with one another; nor have they necessarily agreed with other Blacks who hold public office. But clearly, politics in Tuskegee has been played at least partially, by at least some individuals, in a manner denoting something other than deference.

One official whose very presence and demeanor tacitly but firmly refutes any suggestion of deference is the Sheriff of Macon County, Lucius Amerson. The first Black Sheriff elected in the South since Reconstruction, he came into office a few months before Carmichael and Hamilton published their book. He has occupied that position for ten years now, and they have been years fraught with the most devious attempts to undermine his authority.

To understand the atmosphere in which he has had to function --in the office that is traditionally viewed as the most powerful symbol in the South of white oppression--it is helpful to briefly review the political background of Tuskegee and Macon County, again, as sketched by Carmichael and Hamilton.

Tuskegee inherited, first of all, the "accommodationist" legacy of Booker T. Washington. "A modus operandi had been reached between the Tuskegee blacks and whites: the blacks would run Tuskegee Institute and the V. A. Hospital while the whites would provide commercial services (banks and stores) and hold all political offices--thus overseeing law enforcement, the assessing and collecting of taxes, the public school system and so forth. The accommodation was perfect, and many people throughout the country pointed to Tuskegee as a showplace of harmonious race relations. So the sizeable black middle-class society had its debutante balls and social clubs, made no great demand to take part in political decision-making, and seemed to have forgotten--or perhaps they never knew--the earlier political history of the county when black people voted and gained political benefits.

"But there was always a handful of black people in the community who did not accept the politically subordinate position assigned to them. They knew they were colonial subjects in their own land...A small group began to organize in the late 1930's to get more blacks registered, (and) reorganized as the Tuskegee Civic Association (TCA) in 1941." In spite of obstacles, intrigue and intimidation from whites, and reluctance on the part of many educated Blacks to "become involved in this sham process (and) submit to constant indignities," the numbers of Blacks registered to vote slowly increased over the years.

Although statements of the TCA were consistently conciliatory in tone, and no intent was ever evidenced to challenge the system or establish a separate party, by 1957 whites became alarmed that black voters in Macon County would soon outnumber white voters. "The whites therefore persuaded the state legislature to pass a law gerrymandering the city of Tuskegee...The city boundaries were changed to make a four-sided municipality into a 28-sided one. Some 420 black voters were thereby excluded from the city; ten black voters were left; no whites were touched. The growing black vote could not take control of the city."

The TCA responded to this "breach of contract" by calling for a selective-buying campaign against white merchants which lasted successfully for four years. Whites still did not yield any political power, but the original city boundaries were restored in 1961 by a Federal court decision which ruled that the gerrymander had violated the Fifteenth Amendment.

As a result of investigations conducted during this same time period by the U. S. Commission on Civil Rights, the Department of Justice, in 1959, filed a lawsuit against Macon County charging voting denials. As a result of decisions handed down by Federal Judge Frank Johnson*, in Montgomery, the number of Black voters greatly increased and by 1966 there were half again as many Black voters as white.

Beginning in 1964, new groups and individuals were urging Blacks to vote for Black candidates. The TCA, however, steadfastly recommended voting for the straight Democratic party ticket and against independent candidates. As a result, whites retained a majority on the City Council. But in 1966, Lucius Amerson campaigned as an independent among rural Black people and won election in spite of lack of support--and in some instances, outright opposition--from the TCA.

---

* At this writing, FBI Director designate.

"...Amerson was immediately faced with efforts by the whites to undercut his power. The white-controlled Board of Revenue reappointed the outgoing sheriff as Beer License Inspector, a position Amerson stated he wanted inasmuch as his duties included such matters. The Board denied him extra funds needed to operate his office. White constables were appointed by the local white justices of the peace in an attempt to circumvent the new sheriff's law enforcement power."

And that was only the beginning. Efforts to discredit him intensified when he began making changes in the manner in which the office was run. Procedurally, he observed the letter of the law, whereas previously the office had been run in accordance with the unwritten rules of tradition. Sheriff Amerson subsequently became one of the officials targeted for surveillance by the Alabama Peace Commission, a State agency created to "study, investigate, analyze and interrogate persons, groups and organizations engaged in activities of an unlawful nature...and which may be detrimental to the peace and dignity of the State of Alabama." According to an article that appeared May 16, 1976 in The Birmingham News, the director of the Peace Commission admitted in a deposition he filed as a result of a lawsuit that the Commission had conducted investigations of Amerson. He indicated that the investigations commenced after the Commission received complaints from other Macon County Blacks about Amerson's activities. He further acknowledged, however, that Amerson was the only sheriff the Commission had ever investigated.

If it is true that Blacks filed the complaints, it is reflective of the fact that some Blacks do defer to the white power structure, and it is an additional indication of the complex and diverse opposition with which Sheriff Amerson has had to contend.

He speaks of the "concerted effort to discredit Blacks in office so that they are unable to keep voter support in coming elections. By and large," he says, "whites in the South have not been able to accept Blacks in responsible policy-making positions where the everyday economic and political processes transpire. The effort seems to be to try to keep Blacks from becoming too powerful a force in the community by preventing them from building any tenure in office. One tactic," he relates, "is for vicious lies and false charges to be spread among the Black electorate so that Blacks lose faith and confidence in you and vote against you."

Examples of this type of harassment include the following: Rumors were started alleging Amerson's involvement with a white woman. His wife, a nurse in the local Head Start program, was the target of rumors alleging negligence and mistreatment of the children. False stories were spread about conditions in the jail--that it was dirty, that there was no security, that homosexual activity was permitted, that female inmates were raped. When whites participated in crimes of murder and burglary, other whites withheld critical information and evidence, then, when the crimes went unsolved, charged dereliction of duty and lack of law and order under a Black sheriff. When Sheriff Amerson assessed fines commensurate with state-wide standards for particular offenses--that were sometimes higher than previous sheriffs had assessed--some offenders would go to his predecessor to inquire, questioning Amerson's word. Whites would tell Black offenders that Amerson was lying, that he was fining them too much and keeping the money for himself. His style of dress and the type of car he drove--which had not changed since before he was elected--were offered as evidence that he was assessing excessive fines to his own benefit.

"Many times," Amerson observes, "your own people become involved in these tricks in order to obtain money or favors. They don't have the foresight to see that the long term result of discrediting Black officials is to hurt all Blacks, including themselves. However," he emphasizes, "in my opinion, the great majority of Blacks are not involved in such tactics--only a few who perhaps feel envy or jealousy toward someone who is progressive and has a strong following of supporters."

The rumors and lies and discrediting of integrity nevertheless hurt politically, because although "many people in the local constituency understand what is going on, a large number never get the message." This dilemma, he says, is greatly compounded "when the local news media, being white oriented, purposely fails to tell your story, or deliberately distorts what you have to say about an issue in which you are involved. Most Black people in the community," he argues, "can't really know the problems Blacks have to endure to represent them; they tend to be swayed by what they are told and what they read." Amerson attributes his failure to win his campaign for probate judge in May 1976 to this pattern.

Local whites, including the media, have been provided additional ammunition for their attacks by the FBI, the IRS and the Department of Justice.

In August 1970, staff of the jail failed to search thoroughly a Black person who had been arrested on a charge of driving while intoxicated. The prisoner became unruly, pulled a gun, took the deputies' guns, ran everyone out, and shot up the office. In the process of subduing the prisoner, he was roughed up by law enforcement officers. Certain whites got in touch with the Department of Justice, charging that Amerson and one of his deputies had violated the civil rights of the prisoner. He was investigated by the FBI and indicted by a Federal Grand Jury in the Spring of 1971. Amerson accounts for the indictment by the fact that "several members of the staff in the U. S. Attorney's office in Montgomery had grown up in Macon County, so it was a simple matter for whites in Tuskegee to obtain an indictment."

The original complaint was actually filed by a city policeman. The prisoner involved never did file any charges. He was not called to testify at the trial. And, in fact, he went to the U. S. Attorney himself indicating he wanted the charges dropped. The prosecutor refused on grounds that other parties had brought the charges.

Amerson was ultimately acquitted by an all-white jury, but the publicity surrounding the case caused his great popularity in the community to plummet, and he has never overcome the damage that was done.

At the time of his indictment, Amerson analyzed the situation in this manner:

> This charge is the result of a desperate effort by a band of men who are obsessed with the idea that Black men must not hold public office in Macon County, and that they, not the electorate, have the right to select persons for these offices. Their efforts in this regard are but the latest in a series of harassment plots and political power plays too numerous to catalogue, but all designed to the end that a Black man should not be sheriff. Rest assured that there will be more such efforts. This is the burden that Blacks who hold public office must bear...

True to his prediction, after this incident, and continuing through 1975, FBI agents would come to Amerson's office every two or three weeks claiming that they were investigating additional complaints the U. S. Attorney had received from whites of brutality and mistreatment when they were arrested at home or while in jail. The FBI would never tell the sheriff what the precise charges were, and no formal action was ever taken against him.

While he was under indictment, Amerson suspected that his phones were tapped. He inquired of the FBI and the State Department of Public Safety whether that was the case, and both agencies denied it. He asked the phone company to check, and they also asserted they were not. Each time they checked the phones, however, the interference would cease for a week or so and then resume.

Two months after his acquittal, the IRS began an audit of Amerson's income taxes. For three years, there were constant inquiries and investigations that resulted ultimately in an assessment of some $30,000. During the period of investigation, Amerson was in the forefront of the effort by a group of local Blacks to develop a Holiday Inn in Tuskegee. As a result of that effort, he had large sums of money in his possession that belonged to other participants, but which the IRS apparently was trying to tax him for. After hiring an attorney and expending large sums of money in legal fees, the assessment was reduced to $6,000 and he was charged with civil fraud. Amerson surmises that the intent of the IRS was two-fold: To help block the Holiday Inn development; and to discredit him personally, force him to expend large amounts of money, and possibly imprison him.

Early in 1973, circumstantial evidence was planted to implicate a Black man in the murders of three elderly white women in Macon County. The alleged motive was to obtain money for drugs; the "suspect" was characterized as being deranged, and rumors were started about Blacks killing whites. One evening after the accused was arrested, the jailer was tricked into leaving the premises and the suspect was released. The Sheriff, who had been attending a law class that evening, was accused of negligence in letting the prisoner escape. This charge, and the criticism that Amerson was spending all his time at school, were major issues used against him in his subsequent campaign for re-election. The prisoner, who had dropped out of sight completely, suddenly reappeared right after the election--over a year after his "escape." Amerson speculates that throughout his campaign, the suspect had been held elsewhere by other law enforcement officials.

The issue of the Sheriff's attendance at law school proved to be of concern to more persons than just the local community, and he consequently found himself fighting on two fronts simultaneously. When he first applied to Jones Law School in Montgomery in 1970, he was denied admission because he was Black. Lawyers of the Southern Poverty Law Center sued on his behalf and won the first Federal court order to desegregate a private school. He received his degree in 1975, but then twice failed the bar exams--as is apparently a pattern for Blacks in Alabama. He is now awaiting the results of lawsuits moving through the court system charging that the procedures for admittance to the State Bar are racially discriminatory.

Looking back on his ten-year struggle, and assessing the meaning of all the harassment, Amerson refers to Southern history and tradition.

> The office of Sheriff is the one office that whites do not want to see Blacks in, because many times the perpetrators of the dirty tricks--the Ku Klux Klan and others who want to harass and intimidate Blacks--would affiliate in some way with the Sheriff's office. Consequently, they felt they could pretty much do whatever they wanted in order to maintain the status quo, to preserve their way of life. A Black man's election to that office breaks the link in the chain that enables them to use the power of that office and that allows them to do whatever they want to without ever getting caught. Blacks in many areas of the South were mistreated by the Sheriff's office and had nowhere to turn. With this office coming into the hands of Black people, there was a tendency to make whites more hesitant because the balance of power had shifted. They no longer had the machinery of law enforcement behind them. But once you disturb the status quo, you become a victim from then on. You are always viewed with suspicion. They never forgive you for disturbing their way of life.

Elaborating on the role of the Klan, Amerson suggests that "basically, the Klan and the white power structure are the same thing. The Klan, throughout the State, hates anyone who is doing anything progressive. And they simply can't accept that a Black person might be intelligent enough to run for this office and win. I don't know if they were behind the harassment of me or not...It is supposed to be an 'invisible empire.' What that means is that some of the people you work with every day are in it. You can't see who they are. I'm sure there are a lot of Klan sympathizers, if not paying members, in Macon County, and some of them were involved in the plots against me. I'm sure they all coordinate their efforts and use the avenues most convenient for them. I definitely feel there is a local conspiracy..."

But conspiracy, he argues, locally and nationally, is "just a natural thing for whites to do--because of the attitudes in the minds of a certain segment of people where Blacks are becoming more influential, because of racism that is so embedded and is so prevalent in white people."

But while Sheriff Amerson evidences understanding of the dynamics involved, he does not accept them. He has opted to pay the price for maintaining law and order, rather than assuming a position of deference. And, in his words, "It has been devastating psychologically."

"You wonder," he says, "if you really deserved what you got--and if you failed to get what you deserved. I feel that the whole experience has interfered with my right as a person to pursue life and do whatever I want to do on an equal basis with everyone else. I know if I were white, I would be able to practice law and I would be wealthy now. As it is, you get to the point where you feel like you can't do anything because you're being watched and checked and you know someone is going to tell a lie. Your reputation precedes you, so you can't take advantage of new opportunities as others can."

Frustrating as it has been, Sheriff Amerson nevertheless projects a sense of solid realism, and a great capacity for absorbing personal injury and then dismissing the incidents. After all these years, he is still intact. Considering all these years, he really asks for very little. "You would like," he says simply, "to leave office with respect. You would like everyone to know that you came into the office, and left the office, with integrity."

It seems clear that certain parties are anxious to deny Sheriff Amerson his wish. As of this writing, he is once again under indictment--this time by the County Grand Jury--on charges of false pretenses and allowing a prisoner to escape. As with so many of his fellow Black officials, his case cannot be closed; it cannot be written as past history. The battle goes on...and the outcome remains to be seen...[23]

United States Representatives

Organized in 1969 with nine members, the Congressional Black Caucus now represents a visible, vocal force in national politics with a total of 16 U. S. Representatives. Twelve members were included on the White House list of 200 "political enemies singled out to be harassed by the Internal Revenue Service."[24] At least half of the Caucus members have experienced some degree of other forms of harassment.

Shirley Chisholm
U. S. Representative
New York

Shirley Chisholm was the first Black woman ever elected to Congress. If that unique position might have earned her some deference, she quickly disavowed it with her biting rhetoric, and with her early challenge of the seniority system when she rejected a committee assignment not to her liking.

In 1972, she ran for President of the United States. In 1973, "the General Accounting Office, the investigating arm of

Congress, charged Ms. Chisholm's 1972 presidential campaign organization with four violations of the federal campaign financing law." She was subsequently subjected to widespread negative media coverage regarding these charges. Asked by the New York Times about the investigations, Ms. Chisholm indicated, "I was told I was one of their chief targets because I am a black official, very outspoken, very blunt, with a terrific following among womens' groups, black people, the young people and the Spanish-speaking people...I think it's their way of telling Shirley Chisholm, 'You better be careful and draw yourself in.'"

Ms. Chisholm also related she had been warned by the late Representative Adam Clayton Powell that "she would be attacked if she didn't play the expected role...'If you are a simple, quiet black woman and you don't speak out against the inequities, they'll leave you alone. But once you become outspoken, they will get you.'"

After several months of investigation by the Justice Department, the charges against Ms. Chisholm were dropped. In June of 1976, however, she indicated to a New York paper--in reference to her political enemies: "I know they're trying to destroy me, but I will not let them do this. My record is good and speaks for itself. Serving my constituents and protecting their welfare comes first. This will always be my first concern."[25]

John Conyers
U. S. Representative
Michigan

Offices and telephones illegally bugged by the FBI and CIA.[26]

Ronald Dellums
U. S. Representative
California

As the carrier of the banner of "Radical" politics in Congress, Ron Dellums early set a tone of challenging House protocol, speaking out when he was supposed to keep quiet, confronting senior members when he was supposed to show deference, creating his own ad hoc committee to hold hearings on U. S. war crimes in Southeast Asia when Congress rejected his resolution calling for an investigation--an act resulting in rumblings among some other members of the House that he should be censured. Even before his election to Congress, when he moved from the City Council of Berkeley, California to win the 1970 Democratic primary, "Vice President Agnew assailed him as a 'radical extremist' whose purpose was bringing the walls down.' To the Establishment, he had already become anathema." His participation in peace demonstrations undoubtedly enhanced this reputation. And there have been repercussions.

As Congressman Dellums points out, the harassment can be spoken of only in general terms, since most of it is of a covert nature and not susceptible to concrete proof. "Generally," he says, "I have been subjected to three types of harassment. While on speaking engagements, I have often been heckled, and sometimes jostled, by persons whom I would suspect to be a part of some kind of covert operation. Second, I have been convinced that my office telephones have been bugged. On two occasions, persons trained in electronic surveillance have informed me, one via affidavit, that my district office lines were tapped. On another occasion, I was informed by a reputable source that the telephone company regularly monitored my district office calls. We complained of this to the telephone company, and an investigation was made, which reported the monitoring was not being done by the telephone company, but that the possibility of another agency other than the telephone company could not be excluded. Information and correspondence relative to this matter subsequently was reported in the San Jose, California Mercury, under circumstances that could only be explained in terms of there having been some kind of covert operation working within my district office. Third, we have had a number of very mysterious break-ins in our campaign headquarters. They have been trashed, firebombed and vandalized on at least five separate occasions. Each of the events was reported to the police and federal officials ...We have not had occasion to file any formal charges, though we did discuss them with the media at a formal press conference early in 1976."

So forceful is Dellums in presenting his vision of justice for the oppressed that some have voiced speculation that he may pay with his life. Reflecting on that possibility, Dellums observes, "Every now and then it gets to me. But I think one of the other dangers of political life is to succumb to that fear. To dwell on that fear or on any fear is to render you that much more ineffective."[27]

Charles Diggs
U. S. Representative
Michigan

Congressman Diggs is the highest ranking member of the Caucus in seniority, having been elected in 1954, and is considered to be the Congressional expert on African affairs. He was identified in the Senate Intelligence Reports as a target of the IRS Special Services Staff (SSS); he has been investigated for alleged income tax evasion. He has more than once received media coverage of a highly questionable nature. For example, in August 1976, the Washington media carried reports alleging misuse of government funds; in December 1976, the media characterized a planned tour of Africa as a junket, suggesting Congressman Diggs' behavior differed in no essentials from his predecessors who misused taxpayers' money. Upon his return from the African tour, Diggs found he had been by-passed for chairmanship of the House Government Operations Committee. Since he had served as a subcommittee chairman and had been considered to be in line for the appointment, his failure to receive the chairmanship raised serious questions as to the reasons and motives. Most recently Congressman Diggs has become the object of a Grand Jury investigation involving allegations of payroll padding.[28]

Harold Ford
U. S. Representative
Tennessee

Congressman Ford waged his first campaign for Congress in 1974 under repeated threats on his life. He won election only after going to the Election Commission office following his opponent's declaration of victory and finding boxes containing 6,000 uncounted votes from mostly Black neighborhoods--votes which gave him a margin of 744 votes. He won his bid for re-election in 1976 handily in spite of highly questionable coverage by the media throughout the campaign.[29]

Ralph Metcalfe
U. S. Representative
Illinois

Congressman Metcalfe was publicly accused in 1975 of receiving bribes and kickbacks in transactions related to zoning changes made in Chicago back in 1968 and 1969 when he was alderman for Chicago's Third Ward and chairman of the City Council Building and Zoning Committee. Following investigations by the FBI, the IRS, the U. S. Attorney's Office in Chicago and the Justice Department, charges were dropped. Metcalfe has been quoted as referring to the charges and investigations as a "witch hunt motivated by political considerations." At one point he indicated that "he expected a federal indictment as retaliation for his support of (an) alderman...who was trying to oust Mayor Richard Daley in the primary election." Later, he indicated that "the federal government (had) singled him out for attack because, 'Maybe I'm too vocal. I've spoken out about police abuses and about federal spying activities. I also challenged FBI Director Clarence Kelley when I learned of surveillance on black civil rights leaders. There's bound to be a backlash.'"[30]

Parren Mitchell
U. S. Representative
Maryland

Congressman Mitchell was placed under 24-hour surveillance and had his telephone illegally bugged for eight months. No charges were ever filed.[31]

Charles Rangel
U. S. Representative
New York

Congressman Rangel was the subject of a criminal investigation for income tax fraud. No charges were ever filed.[32]

State Executives

Blacks holding state-wide elected administrative offices were only four in number in 1976--two Lieutenant Governors, a Secretary of State, and a State Treasurer.[33] Both Lieutenant Governors, as already noted, have been victims of harassment, as has the Secretary of State. A second Black Secretary of State, who serves by virtue of appointment, has similarly been attacked.

Richard Austin
Secretary of State
Michigan

A long-standing practice in the Secretary of State's Office, and one which has been public knowledge for some time, is that of the "branch manager fee system" which involves requiring, through the politically appointed branch managers, that a certain amount of money be donated to the office holder or the office holder's political party. During Secretary Austin's 1976 campaign for the U. S. Senate, this practice suddenly became the basis for media attacks on his credibility, a development which many persons viewed as deliberate harassment and as one significant factor in his defeat.[34]

C. DeLores Tucker
Secretary of State
Pennsylvania

Early in 1975, following her reappointment as Secretary of State--in which capacity she ranks as the highest Black woman in all of the state governments--Ms. Tucker was charged with misuse of State funds for personal travel. She was attacked and disparaged through widespread and unfounded accusations by the media, particularly the Philadelphia Inquirer. After a seven month investigation by the State Senate, she was cleared of all charges. Ms. Tucker was quoted after this incident as being "convinced that there is a national conspiracy on the part of the political establishment to preserve the status quo" and discredit Black leaders. She has strongly criticized "the double standard in the way the media deals with Blacks."

In June of 1976, Ms. Tucker was removed as Vice-Chairperson of the Democratic State Committee. Calling her removal "an affront to all Black people in Pennsylvania," she charged that the ouster was racially inspired, noting that "committee members with State jobs were threatened with the loss of their jobs if they supported me, and appointments to boards and commissions were promised to certain persons if they'd vote against me." Of two Blacks involved in the "plot to get rid of me," she said, "They're Judases." Ms. Tucker cites as one reason for the opposition against her by the power structure her strong stand for affirmative action.[35]

State Senators and Representatives

With a total of 276 State Senators, Representatives, and Assembly Members in 1976, this category constitutes the highest level of government represented by sizable numbers of Blacks.[36] According to the survey returns and reports from other printed sources, at least ten percent of Black State level officials have been subjected to harassment. A significant proportion of these involve IRS audits of Southern officials.

William Bailey
State Representative
Rhode Island

Mr. Bailey was denied his seat in the State Legislature because of a conviction for shoplifting in another State some four years earlier.[37]

Lloyd A. Barbee
Former State Representative
Wisconsin

Reports Mr. Barbee, who declined to run for re-election in 1976:

> I have received hate mail ranging from expressions of disagreement to threats of murder, castration or suggestions that I end my life because of some bigot's disagreement with my positions on racial justice, civil rights, the right to die, the rights of people to have sex between consenting parties, as well as my 16-year old public battle for integrated/quality education. Harassing telephone calls have been delivered, not only to

> me, but to my children, ranging from disagreements over mass media coverage of my views as well as TV and radio appearances to threats of bombing my home or assassination by hand gun or rifle. Some people have sat outside my home to cause discomfort, and some have thrown rocks through windows of my home. Certain anti-Black messages have been left in my mailbox, etc. The police have engaged in hassling activities ranging from shadowing to writing unnecessary citations for traffic and parking violations. My home and office phone calls have been bugged by law enforcement officers. A number of individuals have made threats while I was in demonstrations against various forms of bigotry, intolerance or protest against bad governmental action.[38]

Julian Bond
State Senator
Georgia

Reports Senator Bond: "I've not been subjected to any harassment other than several years of illicit surveillance of my public activities overall by the United States Army, the Federal Bureau of Investigation, and the Central Intelligence Agency." Senator Bond indulges in understatement. He was initially denied his seat in the Georgia State Legislature as a result of his outspokenness and activism on civil rights and peace issues. In a decision written by now Attorney General Griffin Bell, Bond was found by a three-judge court to be unqualified for public office. The decision was subsequently reversed by the Supreme Court.[39]

Henrietta Canty
State Representative
Georgia

Representative Canty attributes the harassment she has received to a combination of her outspokenness, her prior status as a Federal employee, and her political involvements. The harassment began, she recalls, during her initial campaign for public office, when she protested to the City about the deplorable conditions in housing projects. Within three days, city officials had suddenly discovered code deficiencies in rental property that she herself had just recently purchased and began pressuring her to make improvements.

She opened a small business and was audited by the IRS. The day she went to the IRS office to challenge a $14.00 assessment, a secretary remarked to her, "Mrs. Canty, you too? They're auditing all our black politicians." Checks that she had written bounced when a lien was placed on her personal bank account by the IRS for thirteen dollars and some cents. A staff member from the IRS at one point appeared at her office and demanded to see her personally. Mrs. Canty indicated she could not meet at that time. She then received a notice instructing her to appear at the IRS office with all her records. She, however, contacted the Regional Director, asking him to identify every rule and regulation that would be pertinent to her meeting with the IRS. She also brought to the attention of the Director her GS rating as a Federal employee, which was higher than any of the IRS representatives she had been dealing with. She subsequently received a letter apologizing for the incident, though never an apology for the lien that was placed on her account.

Representative Canty observes that she was fortunate, compared to the treatment that her friends received. And she stresses the advantage she had, being a Federal employee and having access to IRS rules and regulations. Because of her outspokenness and her political activities, however, she began to receive what she characterizes as blatant harassment by her superiors on the job. A leave of absence that she requested because of health problems was approved; she took the leave, only to find later that her supervisor had changed the approved dates without her ever being advised of the change. Upon her return, her work load was altered, and her contacts outside of the office greatly restricted. The reason for this, she surmises, was to minimize the inspirational effect that her activities tended to have on other aspiring young Blacks in the South. She was ultimately advised of an intent to fire her on charges of insubordination. After a drawn-out fight that took its toll in time, financial expenses, and her health, she resigned under duress. She was then advised that some $2,000 was being deducted from her final pay and retirement funds because of "overpayments" in her salary over the ten years of her employment.

Ms. Canty reports that her phones were illegally wire-tapped as the above incidents were unfolding.[40]

Gwendolyn Cherry
State Representative
Florida

Representative Cherry has experienced character assassination in the tendency of the press to ridicule her efforts and caricature the manner in which she handles legislation. Her activities related to civil rights, women's issues and social concerns receive no substantive coverage by the media. She has resorted to writing a column in a Black newspaper in order to present her views on legislative issues and on media harassment of Black elected officials.[41]

U. W. Clemon
State Senator
Alabama

Income taxes audited for seven consecutive years by the IRS.[42]

Emmitt Ford
State Representative
Tennessee

Income taxes audited by the IRS, as were his brother's, State Senator John Ford.[43]

John Ford
State Senator
Tennessee

Senator Ford--former Memphis City Council member, brother of U. S. Representative Harold Ford, and an equally outspoken advocate for quality services in the Black community--was the object of a $500,000 lawsuit on charges of "making false and malicious statements about two Memphis policemen." His income taxes have been audited by the IRS.[44]

June Franklin
Former State Representative
Iowa

Elected to office in 1966, Ms. Franklin two years later became the minority house whip. As a leader on civil and human rights issues, she was not only a strident force within the State, but active nationally as well in organizing Black elected officials. Representative Franklin was subsequently gerrymandered out of office when her district boundaries were redrawn in such a way as to preclude a successful bid for re-election.[45]

Al Holmes
State Representative
Alabama

Few officials attest more strongly than Representative Holmes to the relationship between the Civil Rights Movement, Black politics, and the New South. The stands he takes, and that invariably envelop him in controversy, are typically on issues that are highly symbolic of that relationship, and totally consistent with the themes and character of his entire life. He was a high school student in Montgomery at the time of the historic bus boycott led by Dr. Martin Luther King, Jr. He was one of the founders of the Student Nonviolent Coordinating Committee (SNCC) when it organized in 1959 under the guidance of Dr. King, and he remained active until the change in leadership forced the ouster of white students, at which point he resigned. He was the founder of the Montgomery Urban League Chapter and served as director until he ran for office in 1974, "to continue," as he puts it, "the struggle for equality for Black people." He serves now on the board of the Montgomery Improvement Association and the NAACP, and as State director of the Black Political Caucus.

The stands he takes that earn him the hostility of the white power structure and the wrath of the media--particularly the Montgomery Advertiser--include pushing successfully for State affirmative action requirements; fighting for a police review board and denouncing the Montgomery police for their gestapo tactics; waging a campaign to rename a section of Interstate 85 the "Martin Luther King, Jr. Expressway"; and challenging the presence of the Confederate flag on the State Capitol Building. He has been at least partially successful in all these efforts; he is not, however, always given credit for the victories; and he pays a price in the tactics of terrorism to which he is subjected.

The resolution of the Confederate flag issue, which received national coverage, was noted thusly in an October 16, 1976 editorial by the Alabama Journal: "In a symbolic gesture this week, Governor Wallace may well have ended the last battle of the Civil War by quietly capitulating on the lingering matter of the Confederate Flag atop the Capitol Dome." That the manner in which he capitulated was designed to avoid crediting Representative Holmes--who has been one of the most outspoken critics of Wallace--with victory, however, was suggested by another editorial in the South Alabamian:

> Blacks throughout the State and especially black representative from Montgomery, Alvin Holmes, have fought against the Confederate Flag being flown at top mast while the Stars and Stripes were flown on a flag pole of its own on the lawn of the capitol building. No reason was given Tuesday for Wallace's decision to make the change. A recent court test to have the Confederate Flag removed from the capitol dome was denied and that decision was backed by U. S. District Court of Appeals Judge Robert Varner. Apparently Wallace didn't like being pushed around about the Confederate Flag controversy and waited until the courts showed that the Confederate Flag could be flown before making the change.

When Representative Holmes first introduced his resolution calling for removal of the Confederate Flag from the premises of the State Capitol--(It still flies on the capitol building, but beneath the United States flag.)--another Representative, now deceased, who Holmes characterizes as having believed not only in segregation, but in slavery, rose to express his resentment at anyone attacking the Confederate flag because "his grandparents fought under that flag." Responded Representative Holmes, "Your grandparents fought under the Confederate flag to keep my grandparents in slavery, so it means nothing to me. It is a symbol of slavery and suppression toward Black people in this country, and furthermore, if your grandparents fought under the Confederate flag, then they were guilty of treason and sedition against the United States Government." Holmes was quickly branded an "agitator" by newspaper editorials, and as promptly subjected to a barrage of anonymous harassment and intimidation, including phone calls at night warning that a bomb was going to go off at a certain hour.

One night on arriving home he found half a dozen whites parked in a car up the street waiting for him. When he got out of his car, the other car came directly toward him then veered away. As it turned, he saw a shotgun being leveled out the window. He dropped to the ground, and the occupants sped away. At that point, Holmes contacted the FBI, the police chief, the county sheriff, the U. S. District Attorney, and the State District Attorney, and for the next three months, his house was kept under constant law enforcement surveillance. Subsequently, all the windows in his parents' house were broken out. Generally, however, the intensity of the harassment has subsided, although he assumes his phones are still tapped, and he expects the intimidation will never end completely.

Acknowledging that the Ku Klux Klan is active in the Montgomery area, Holmes declines to say that the persons responsible for the harassment are members. "But certainly," he says, "people who do things like that are those who advocate the philosophy of the Klan."

He is prone to accept that there will always be harassment as long as Blacks speak out against racism and the power structure. Pointing out that some Black officials are highly respected by the white power structure, he notes as well that those officials are not outspoken, whereas he has been one of the most aggressive critics of systematic discrimination against Blacks in the State and is therefore opposed by the power structure.

"It's no different now than during the Movement; just less violent," he observes. In fact, he argues, "The involvement of Blacks in politics is today's expression of the Civil Rights Movement. To the extent that there is a New South, that is the difference. The Voting Rights Act created the New South. What it means is that now we can vote. We can elect Blacks to office. Now we can do something about it.

But in all other respects--in terms of attitudes and prejudice--the South has not changed." Indeed, the presence of police at the polls the day of his election, harassing his poll watchers and campaign workers while dollar bills were being handed out to entice people to vote for his opponent, attests to the persistence of the Old South.

Holmes' belief in the absolute continuity between his civil rights activities in the 1960's and his political activities in the 1970's is made clear when he says, "I believe in the philosophy of Martin Luther King; I am opposed to violence in any form. His philosophy is still relevant today...I believe as he said, that one day we'll all join hands--and be 'free at last.' We're not to the Promised Land yet, and it won't be one day soon. But we'll get there...That's what keeps you going. If there's something you have to do, you do it."

The only feasible response to the harassment, as Holmes views it, is to elect even more Blacks to office, and to develop more unity and support from the Black community as a whole. But whatever the opposition, he is convinced that politics is the way. "Blacks being elected to office" he characterizes as "the fruits of Martin Luther King's work. Our job," he says, "is to make the system what he said it ought to be."[46]

Leroy Johnson
Former State Senator
Georgia

In 1962, Leroy Johnson became the first Black person elected to a Southern legislature since Reconstruction and eventually assumed chairmanship of the powerful Georgia State Judiciary Committee. He came to be regarded by many as the most powerful Black politician in the State of Georgia, if not the entire South. After having his income taxes audited for several years, he was indicted in 1974 following a four-year criminal investigation on charges of underreporting and evading Federal income taxes. Johnson was subsequently defeated in his bid for re-election. Later, two of the counts against him were dropped and he was acquitted of two others. As a result of the investigation--which cost him some $35,000 in attorney fees--he was eventually rebated some $6,000. However, he was convicted for allegedly filing a false affidavit with the IRS. An appeal of his sixty-day sentence failed; Johnson went to jail October 13, 1976. Upon judicial review of his case, he was released after serving 36 days of the sentence. Johnson's attorney charged that he had been bugged and targeted for prosecution to discredit him as a political force by special units of the IRS and Georgia Bureau of Investigation that were surveilling Black elected leaders. As a result of the felony conviction, Johnson cannot practice law in the State of Georgia and cannot hold public office.[47]

Clarence Mitchell
State Senator
Maryland

Senator Mitchell was first elected to the Maryland House of Delegates in 1962, then to the State Senate in 1966. One of the Black officials included on the White House "list of enemies," he found himself in the early 1970's the subject of a civil audit by the Internal Revenue Service, which then turned into a criminal investigation. In 1973--while the IRS was still conducting the investigation, and before it had conclusive findings and figures--Senator Mitchell was indicted by the U. S. Department of Justice. Friends and associates of the Senator were harassed and intimidated by visits from Federal agents; innuendos, veiled threats and rumors caused his real estate business to suffer. For over a year, the major white newspapers in Baltimore--the Baltimore Sun and the News American--gave widespread coverage to the charges against him. Ultimately, the investigation resulted in a finding that the United States Government owed Senator Mitchell $234.

The case was dropped. There was no trial. But no articles were ever printed by the newspapers reporting the outcome. Rather, one of the papers editorialized, under the caption, "Clarence Got Away," that something was wrong that Senator Mitchell hadn't been prosecuted. In his 1974 campaign for re-election, Mitchell's opponent made an issue of the income tax charges and received the endorsement of both papers. The Senator indicates that positive news releases from his office on community projects and legislative activity never receive coverage. Instead, the press runs articles about his personal life and reports on the number of committee meetings he misses.

Mitchell's office has been broken into three times under highly suspicious circumstances. No items typically popular with burglars were taken; the files had clearly been rifled.

The local police department for some time maintained a dossier on Mitchell, allegedly for purposes of investigating "criminal" activity. When the State Legislature introduced a bill in 1975 regarding such illegal surveillance, representatives of the police department were called to testify. Their testimony verified that Senator Mitchell had been under surveillance and that his phones had been wire-tapped; it also brought to light that the files maintained on him had, coincidentally, been shredded only three months previously. The officials indicated, however, that copies of their files had been forwarded to Federal agencies. Senator Mitchell, to date, has been unable to obtain copies of those records.

In spite of the harassment, the Senator is repeatedly re-elected by his predominantly Black constituency by an overwhelming majority. The local Black paper, the Afro-American, had been fair in its coverage and editorially supportive of his efforts. Individual supporters, Black and white, have come to his defense, even approaching the editorial boards of the white newspapers seeking reason and justice--though to no avail. Senator Mitchell attributes the attacks to the fact that he is outspoken on matters of human rights, that he aggressively seeks remedies to social problems and inequities. He pinpoints as the trigger for the attacks his 1971 campaign for Mayor of Baltimore, which he characterizes as having been "a people's campaign--a type of campaign threatening to the economic power structure, which in turn is influenced by the press."48

J. Richmond Pearson
State Senator
Alabama

Senator Pearson was one of the persons identified in the files of the Alabama "Peace Commission" when the Civil Liberties Union of Alabama filed a suit against the agency. (Discussed further in the case entitled "The Price of Law and Order.")[49]

Leon Ralph
Former State Assemblymember
California

In 1968, the day following the assassination of Dr. Martin Luther King, Jr., the California legislature created a new subcommittee of the Ways and Means Committee to address urban affairs problems. Assemblymember Leon Ralph was designated chairperson of the subcommittee and given full authority to establish a state-wide advisory committee. He was subsequently asked by then Governor Ronald Reagan to reconsider his appointments to the advisory committee, which included representatives of various "militant" and "radical" organizations. Assemblymember Ralph declined to reconsider, and the committee began examining what some persons viewed as rather sensitive issues and questions.

From time to time, several members of the advisory committee mentioned they suspected they were under surveillance. In 1974, Mr. Ralph learned--from a notarized deposition given by an FBI informant--that he had himself been under surveillance for the preceding six years. His office--including file contents--had been videotaped; papers were stolen; telephones were wire-tapped. All information obtained was then turned over to an FBI agent. In 1975, Mr. Ralph was the recipient of four serious threats on his life.

The former Assemblymember declined to run for re-election in 1976 in order to enter the ministry on a full-time basis. He emphasizes, however, that this decision was made not because of the harassment, but in response to a conviction of being called to other work. When Ralph's efforts to raise funds to pay the mortgage on his church were assisted by former legislative colleagues, including Lt. Governor Dymally, these activities then became the subject of disparaging articles in the Los Angeles Times.[50]

Thomas Reed
State Representative
Alabama

Representative Reed is the senior Black member of the Alabama Legislature and the only Black committee chairperson. He has for ten years been the president of the State NAACP and serves as a member of the Board of Directors of the NAACP at the national level. His six years as a State Representative have reflected his civil rights concerns, including leading the fight to integrate the State Troopers which resulted in a successful Federal court case, introducing legislation leading to the first full-scale investigation ever of Alabama State prisons, and pushing for a State affirmative action plan.

As a result of his efforts, he has been the recipient of repeated threats on his life to the point where at one time he was compelled to obtain 24-hour surveillance of his home. Although suspecting illegal surveillance and wire-tapping by the Federal and State governments, he has been unable to obtain proof. His income taxes have been audited for the preceding twelve years at three-year intervals by both the Federal and State governments. He has never been required to pay additional taxes as a result of the Federal audits. However, the State government has assessed additional taxes of some $20,000 and forced payment by putting liens on his personal property. As a result, a bank foreclosed on some of his personal property; businesses have terminated his buying credit; his restaurant business in Tuskegee has been greatly impaired; and he has had to bear the additional expense of retaining a certified public accountant.

Representative Reed defeated the State Senator from the same district as his as a delegate to the 1976 National Democratic Convention. Subsequently, Reed was accused by this Senator--who has been alleged to represent the Ku Klux Klan and white citizen council--of bribery, and indicted on a felony charge. His first trial ended in a mistrial when no verdict could be reached. His second trial ended in a mistrial when midway through the trial one juror indicated he did not feel that he could serve impartially. A third trial resulted in a misdemeanor conviction on charges of "attempting to attempt to bribe" and a fine of $500, which Reed plans to appeal.

That a third trial was even considered strongly suggests harassment, particularly since the chief witness testified, under oath, in the second trial, according to Reed, that he had lied in making the initial accusation of attempted bribery.

Representative Reed has established a legal defense fund and continues to solicit donations nationally in an effort to meet the costs of fighting the legal charges against him. He has, as yet, devised no means for combating the prejudicial coverage of his case that he feels has been given by the Tuskegee News.[51]

Rev. Hosea Williams
State Representative
Georgia

Both as a field representative of the Southern Christian Leadership Conference and as an elected official, Rev. Williams has experienced constant harassment in many forms over a period of several years. He has been under surveillance both by the FBI and the CIA. His taxes were audited by the Federal IRS in the early 1970's. In 1976, the State of Georgia investigated his returns for the preceding five years. Rev. Williams reports that from the time he first ran for office, the Atlanta Constitution and Journal have taken every opportunity--particularly during his campaign--to project a negative image, playing up minor, petty issues of a critical nature. He observes, though, that that tactic has just about been exhausted and the media attacks have diminished since the Black community began objecting and protesting.

Rev. Williams' most recent experience with harassment came in the form of an indictment. Over a period of time, he was issued a number of traffic citations which ultimately led to his drivers license being permanently revoked by a Superior Court judge--an action viewed by some as only "the latest attempt to silence" the State Representative through "conspiracy between the State of Georgia and De Kalb County..." Rev. Williams was subsequently charged by the county District Attorney with being an "habitual offender," making the case a felony rather than a misdemeanor, conviction for which would have precluded service as an elected official. Following the trial, and some 30 hours of jury deliberation, Rev. Williams was acquitted in the Fall of 1976 and continues to serve--for the time being--in the Georgia House of Representatives. Stories of the charges and trial were carried on the front page of the Constitution and Journal; the story of acquittal was carried on inside pages.

During the time Rev. Williams was under indictment, he was seeking certification to participate in the SBA A-8 Program.

Certification was repeatedly delayed and finally denied--because of the indictment. Another loan from a New York organization that had been approved for Rev. Williams' chemical manufacturing business was subsequently withdrawn--because of the indictment. Because of the case being drawn out over such a long period of time, Rev. Williams estimates he lost some $250,000 worth of business and his company subsequently folded.

Says Rev. Williams, "They have tried everything. As long as I stay honest, they can't crucify me. They have done all that they can do--except assassinate me...They may do that, too..."[53]

Ben Brown
Former State Representative
Georgia

Harper Brewer, Jr.
State Representative
Tennessee

Robert Clark
State Representative
Mississippi

Douglas C. Dean
State Representative
Georgia

Cain Kennedy
State Representative
Alabama

Alvin King
State Representative
Tennessee

John L. LeFlore
State Representative
Alabama

James McKinney
State Representative
Georgia

Rev. John Porter
State Representative
Alabama

Income tax returns of all of the above have been audited by the IRS.[54]

State Senator
Southern State

A Senator from a Southern State reports harassment has come in the form of omission, of silent treatment, of being ignored by the media. He notes that "most Black officials are not given any coverage in the papers, radio, and television, while white officials are given all the coverage they may request."[55]

Former State Representative
Midwestern State

A State Representative received front page coverage after he was stopped and interrogated by police in a suburban area late one night while accompanying a white woman--who happened to be his secretary. The Representative subsequently declined to run for re-election.[56]

State Senator
Midwestern State

A State Senator from the Midwest reports harassment consistently over the past five years in the form of biased media coverage, illegal surveillance, and law enforcement investigations.[57]

State Representative
Southern State

A Southern State Representative points out biased reporting by the press, apparently deliberately designed to discredit him as a Black official.[58]

Mayors

In 1976, 152 mayors of cities were Black. Only 16 of these were in cities with over 50,000 population; 59 were in all-Black towns.[59] Some 20 present or former Black mayors have been identified who have experienced harassment.

Robert Blackwell
Former Mayor
Highland Park, Michigan

Recalled from office.[60]

A. "Jay" Cooper
Mayor
Prichard, Alabama

Mayor Cooper's initial campaign and election for office in 1972 was marked by disbelief on the part of local white leaders and skepticism on the part of local Black leaders. Threats of rent increases, loss of food stamps, and removal from welfare rolls if they voted the wrong way were made against Black residents. Other tactics of his opponents included deliberate impeding of Black voter registration; harassment of Black voters and poll watchers on election day; and a widespread boycott by white voters that contributed greatly to his victory.

Cooper assumed office as Mayor of the poverty-stricken city with a municipal debt of $120,000 and a twelve-year legacy of "graft, laziness and neglect" by the previous administration. The financial situation and the quality of municipal services, reports Cooper, has improved with each year of his administration--contrary to the impression conveyed by the major area newspaper, the Mobile Press Register.

The Mayor's battle with the media centered on one reporter--Jim Johnson--who established exclusive "rights" to cover Prichard City business, and who consistently reported in a negative, prejudicial manner. Mayor Cooper faults the management of the newspaper in that they failed to exercise self-discipline and responsible judgment in approving for print the stories of their reporter--under the guise of "freedom of the press."

Cooper's strategy for protesting was to submit to the publisher a 22-page, detailed analysis of the stories written by Johnson over a three-month period from November 1975 through January 1976. In his analysis, the Mayor observes that "...It appears Mr. Johnson is engaged with malice, in a prolonged, concerted and purposeful effort to mislead the public and demean my efforts, resulting in harm to the city's image and confusion within governmental agencies over news reports which have scant relation to the truth...There is... a need, in my opinion, for your staff to exercise strenuous editorial supervision of the material that reaches the public in order to assure the presentation of responsible, intelligent and balanced reporting." Mayor Cooper further notes that the stories at issue frequently reported on meetings at which the reporter had not even been present, or had put in only a token appearance.

Mr. Johnson was ultimately fired from the paper. He then served as campaign manager for Mayor Cooper's chief opponent in the 1976 election campaign, during which the stories he had written served as the primary ammunition for attacking the Mayor. Cooper nevertheless won his bid for re-election with 65 percent of the vote, and brought a majority Black City Council into office with him.

The harassment has now diminished. There have been no recent attempts on his life--in contrast to the three separate occasions during his first term when shots were fired into his home following his suspension of three police officers on charges of police brutality. Now, he reports, there is only the predictable stream of threatening phone calls and letters when he attempts a change considered to be controversial.[61]

Johnny Ford
Mayor
Tuskegee, Alabama

Mayor Ford asserts harassment by the media in the racist coverage of activities of Black elected officials in Tuskegee, particularly by the Montgomery Advertiser; WSFA TV, the local NBC affiliate in Montgomery; and the Tuskegee News. Their pattern of coverage, he indicates, is to accentuate trivial issues involving Black officials, to play up routine crime in the community, to go out of their way to spotlight negative developments while failing to report on positive efforts. The possibility of fair coverage by the white media is embodied, on the other hand, he suggests, by the standards and performance of the Birmingham News and TV channel 4, the local ABC affiliate. Fair coverage is also provided, he notes, by the local Black-controlled radio stations and the Black Tuskegee newspaper, the Voice.[62]

William Hart, Sr.
Mayor
East Orange, New Jersey

Mayor Hart was indicted in November 1975 by an Essex County Grand Jury on charges of misconduct in office and bribery for allegedly paying a city Democratic leader $1,000 to support a candidate for a municipal court judgeship. In August 1976, the Mayor was acquitted of all charges.[63]

Richard Hatcher
Mayor
Gary, Indiana

As the only Black mayor in the State of Indiana; a Democrat in a predominantly Republican State; an advocate of minority and urban concerns; a popular official with strong support from his constituency; and a well-known national spokesman, Mayor Hatcher has been subjected to persistent, if indirect, assaults by various agencies and agents of the government. Among the more notable of these efforts is the Grand Jury convened in 1975 by the U. S. Attorney's Office in Hammond--ostensibly to investigate corruption in Lake County, in which Gary is located--more accurately, it appears, to investigate the town of Gary, in particular, and the Mayor, specifically. The strategy has been not to accuse Mayor Hatcher directly, but rather to incriminate his associates and thereby implicate the Mayor.

During a trial involving a housing project in Gary, witnesses were questioned in such a way as to attempt to compile information that was disparaging of the Mayor. The Mayor's former law partner was indicted on charges of perjury and concealment of evidence in his testimony before the Grand Jury. City department heads in Mayor Hatcher's administration have been accused of intimidating city employees and coercing them into participating in political activities in support of the Mayor--charges that have contributed to staff demoralization which in turn affect the Mayor's efforts. One department head was indicted by the Grand Jury. The week prior to the 1976 Presidential elections, the District Attorney called upon city employees to come forth and provide any information on the Mayor's having compelled them to support Carter's candidacy. There is no evidence that any employee actually made any such assertion, but the consequence was to cast doubts on the Mayor's credibility.

The Mayor has not personally been indicted, not been directly charged, not been called before the Grand Jury. But the net effect of the innuendos and "fishing expeditions" has been to create a murky atmosphere in which the Mayor's integrity is sullied while no opportunity is afforded for him to vindicate himself.[64]

David Humes
Mayor
Hayti Heights, Missouri

Mayor Humes details attacks on the administration of the all-Black town of Hayti Heights by the neighboring white town of Hayti resulting from their efforts to incorporate as a separate jurisdiction. City officials have been threatened; the police chief has been shot at twice; the state highway patrol has conducted searches and made accusations considered to be harassment. Mayor Humes characterizes media coverage as having been prejudicial against their case. The town is now engaged in a lawsuit regarding use of land for an industrial site which is opposed by the surrounding white community.[65]

Clarence Lightner
Former Mayor
Raleigh, North Carolina

During his 1975 campaign for re-election, Mr. Lightner's family was the object of police harassment in the form of trumped up charges against his wife of receiving stolen goods. During the same time period, his son was cited for contempt of court for "making gestures" to the judge--although he was in the hallway and not in the court chambers at the time the incident allegedly occurred. Mr. Lightner's wife was subsequently acquitted; his son was jailed for three months. Throughout his campaign, the local papers (the Raleigh Times and the News and Observer--both of which are owned by the same persons and both of which endorsed his opponent)--played up the charges against his family members in a manner that some local observers describe as capricious, and which then led to national coverage of the accusations. Mr. Lightner lost his bid for re-election after having served for over six years as a Councilman and two years as Mayor in an exemplary manner. He indicates he has no intention of ever seeking another office.[66]

Earl Lucas
Mayor
Mound Bayou, Mississippi

Mayor Lucas became embroiled in a conflict with the Department of Commerce regarding a Federal public works grant awarded to Mound Bayou. The Department characterized the amount of the grant as a "regrettable error" and pressure was put on the Mayor to voluntarily reduce the amount awarded. Opposition to the Mayor's position was expressed both by the media and by the Mississippi Congressional delegation. Mayor Lucas reports that as a result of the conflict, anonymous threats have been made on his life and on the lives of members of his family.[67]

William E. Mason
Mayor
East St. Louis, Illinois

Mayor Mason has characterized media coverage of arrests of public officials and other governmental scandals in East St. Louis as being blown out of proportion and constituting "vicious, demeaning attacks on this administration." He observes that acts of official misconduct in surrounding communities are given less coverage. Mayor Mason's predecessor, James E. Williams, Sr., who was the City's first Black Mayor, notes that corruption in East St. Louis is not new; what is new is the publicity. He attributes the current publicity to the Federal government's close check on Black elected officials.[68]

Jesse Miller
Mayor
Highland Park, Michigan

As with his predecessor, Mayor Miller was, in late 1976 and early 1977, the target of a recall effort; this effort, however, was unsuccessful. He has described the "move to oust him (as) a 'spiteful, deceptive effort led by people who were repudiated at the polls a year ago.'"[69]

Carl Stokes
Former Mayor
Cleveland, Ohio

Carl Stokes' years as the first Black Mayor of a major American city, from 1968 to 1972, are described with candor in his book, Promises of Power. Mr. Stokes has kindly given permission to quote excerpts from that book.

He writes: "By the time I took office I had been in Cleveland long enough, had been in politics long enough, and had certainly been black long enough to know that they would be coming after us, but I did not really understand the sophisticated ways it could be done. I had expected the critical surveillance and weighing of actions. I had not anticipated the lengths people would go to...I am sure they would not have acted as they did if I had not governed as I did. When I talked about commitment to housing, they thought it was something a politician said to get elected. The same of the poor. Politicians have always used poor people, black people, to get in, and then gone ahead to do it as it was always done. Even the poor people didn't really expect me to do anything. They had always been made promises that were not kept. When I got in, I tried to do what I had said I would do. But my actions brought down the attacks of those who felt threatened, or who were deprived of something they had always had...Efforts to physically assassinate me were successfully warded off, but there was no way to ward off the systematic and determined campaign to assassinate me with rumor, conjecture, speculation, insinuation and indirect charges that I had no defense against...

"Many of the attacks on Carl Stokes by some commercial, business and political interests should not be looked on as simple racism. Rather, it was the economic reaction of those who had been displaced from the goodies they had enjoyed for so long from those previously running the city. They had to believe I was now dispensing the goodies and getting the return. Accordingly, I was investigated by everyone from Cleveland's lowliest Polish housewife to the highest agencies of the United States government: my own Police Department, all the Cleveland area newspapers, the strike force set up to fight organized crime, the Justice Department, the Internal Revenue Service, were all in Cleveland and anywhere I'd ever been, investigating me because of rumors, allegations and accusations...Three and a half years after I took office, (a newspaper) headlined a story, 'U. S. Finds No Misdeeds by Stokes'...

"I took power and gave it to unsophisticated people, and one of the things about unsophisticated people is they don't know how to protect themselves if they have done something wrong. They don't know how to take care of themselves like the white guy who has been taking money for years but also maintains a cash reserve to pay councilmen, police, prosecutors, legislators, and sees to it that money gets into a mayor's campaign. But few persons stop to think that a black man who understands all of this so well also understands not to do it. That's what they can't get through their heads. They know I've been down the road. I've watched money change hands in this society from the level of the blackjack dealer who greets the vice squad at 3 A.M., cuts out some money and says, 'Fellows, go get yourselves a drink,' all the way to the legislature where some of the most respected big businesses in this country pay for representatives' hotel bills, guarantee five thousand dollars for a re-election campaign, provide prostitutes and interest-free loans for automobiles and homes. I've seen it all. But you don't have to be a chicken to know what an egg is...

"Beyond the question of doing wrong and knowing or not knowing how to cover it up was the question of just what is wrongdoing. Practices that had been going on for years were suddenly being investigated during my administration. When so-called scandals did occur, blacks or (other) people identified as being close to me could expect the full attention of the county prosecutor. Things that were not crimes were made to seem like crimes to discredit my administration..."

Throughout his book, Mr. Stokes details the grand jury investigations--one resulting from his efforts to get more Black policemen on the force, another resulting in 467 criminal indictments against the city alleging fraud, larceny and forgery--indictments which "strangely melted away" a year after he left office; the reprisals and the rumors fed by reporters and councilmen when he "deliberately included the black businessmen in every aspect of the award and hiring process, just as they had been deliberately excluded before;" the council's misuse of educational TV to conduct "vitriolic and malicious" attacks against the Mayor; the unsuccessful attempts by investigative reporters to link him to rackets operations in the Bahamas; the personal vendettas against him by reporters condoned by top editorial staff of the Cleveland Plain Dealer and Cleveland Press--particularly where reporting on the police and the issue of crime was concerned; the presumed bugging by police of his telephones; the daily threats on him and his family; the occasions when men with guns appeared at City Hall and at his home, the confrontations on the street, and, in one instance, the mob that gathered at his house.

Stokes notes that for over 20 years, the rule in Cleveland

162

had been "government by newspaper," that "the editor of the Cleveland Press determined every mayor from 1941 through 1965." He continues, "The power of the press is shared by its representatives...The reporters came to regard public officials as submissive and even subservient to their power." Stokes challenged that tradition. In his words, "I never pandered to the news media...I respected the hard-working reporter who dug out the facts of my administration--no matter how negative they might be. I despised the lazy and personally hostile reporter who took gossip and/or half truths and made feature stories of them."

His challenge was to little avail. "No matter what the story, if I could be at all connected to it in any way, and if it was at all controversial or had any negative implications, there were some reporters who would manage to connect it with me. There was no way to fight against this sort of thing, and it is almost impossible to fully document."

Similar efforts to reform the Police Department--particularly with regard to corruption and with regard to the way police dealt with the Black community--met with similar nonsuccess. What he saw "as one of my most important tasks," he says, "became my greatest frustration, my greatest failure," in large measure because of the complicity of the media and the police. "The (police) department's ability to comply with an order and thwart its purpose at the same time was uncanny. The police began feeding reporters stories about low morale, and insinuations of police problems began regularly appearing on the evening news and in the newspapers. The public began to be concerned for their safety. That damn black mayor was going after their protectors..."

Stokes did fight back, in various ways: He filed a $2 million libel suit against a suburban newspaper that was withdrawn after the paper printed an apology; he began televising 30-minute weekly news conferences on the local NBC affiliate station; he had the Community Relations Board investigate the hiring practices of the white daily newspapers and publicized their racism; he consistently obtained fair coverage by the local Black newspaper, the Call & Post.

But eventually, he came to this position: "I have always understood the depth of this country's hostility and resistance when it comes to dealing with the basic functions of the nation. When you start dealing with real change you are talking about interfering with those who are in possession of something. Power never gives up anything without a struggle. You can get laws passed. You can get expressions and resolutions and even condolences in the proper cases on matters of human concern. But when you start dealing with the basic fundamentals of housing and schools and jobs, then you are talking about fundamental change and you are dealing with a resistance that is not going to yield peacefully. How do you deal with it? There is only one way: power against power.

"That's what I did. I took the power of the Mayor's office and a solid constituency and went head on against those who didn't want the poor in their neighborhood, didn't want the blacks in their neighborhood, were determined to exclude blacks from jobs and new economic opportunities. But I knew I couldn't survive. And when I talk about going against those in power, I don't mean just the newspapers and the business and industrial concerns; I also mean those who are in possession, the middle-class people who have the jobs, who live in the neighborhoods with the nice decent housing and the recreational areas that are well maintained. I am talking about people who have and who are not willing to give up what they have. You have to make them give it up.

"You are asking for a struggle. Out of that struggle the cutting edge has to be blunted, dulled and even sacrificed. That's what happened to Carl Stokes in Cleveland. I accept it. I'll go on to the next thing and let someone who is constituted differently from me come back one day and begin the process again. Someone will come. I don't know who it will be. But someone will come..."[70]

Percy Sutton
President
Manhattan Borough, New York

A key political leader in New York City for many years, Manhattan Borough President Percy Sutton generally enjoyed fair media coverage--until he announced his candidacy for Mayor of New York City. His campaign for the 1977 mayoral race has been characterized as receiving the "silent treatment." Media coverage was practically nonexistent; the small amount of coverage that was received was almost exclusively of a negative character.[71]

Penefield Tate
Former Mayor
Boulder, Colorado

Mr. Tate, after serving one term on the City Council, was in 1974 elected the first Black mayor in the State of Colorado, in a town of about one percent Black population, by a constituency made up largely of university students and white liberals. An ordinance he introduced early in his term prohibiting discrimination on the basis of race received minimal opposition, but a similar ordinance introduced two years later prohibiting discrimination on the basis of sexual preference evoked widespread reaction, including threatening phone calls and letters and intense criticism by the media.

The controversy led to a recall effort. Although unsuccessful, a number of persons remarked to friends of his at the time that they would vote for him simply because they opposed the recall procedure, but that they would not vote for him in his bid for re-election. As a result of the loss of white liberal support and strong opposition from local churches, he was defeated in the 1976 elections.[72]

Bennie Thompson
Mayor
Bolton, Mississippi

Harassment of Mayor Thompson began while he was serving as an alderman. He received four draft notices from the Army in one month, and was "not retained" in his position as a public school teacher because of being "negative, critical and politically active." But the harassment accelerated upon being elected Mayor in 1973. He and members of his family continuously receive threatening phone calls; his taxes were audited last year by the IRS. (Final determination: The U. S. Government owed him 17¢.) He has been under surveillance by the State Police; the media--particularly the Jackson Daily News and Clarion Ledger, both of which are owned by the same family--give constant negative and inaccurate coverage, and scant positive coverage.

Perhaps most trying has been the harassment from government agencies he has approached to obtain funding for city projects. When Mayor Thompson first took office in the 70% Black town with a population of about 1,000 people, city hall was open one hour a day, three days a week. Under his administration, it is open 5½ days a week, and staff works practically around the clock to bring new and improved services to the community. Projects include child care, senior citizens nutrition, police training, fire equipment, water and sewage systems, housing and employment. For the most part, he has had to go directly to Washington or to regional offices in Atlanta to obtain support for these efforts. He has been told by a State official that the word is out that "as long as he is Mayor, Bolton is to get no money."

The State's position has its impact on Federal programs as well. One application submitted to a HUD office arrived a day before the deadline; it was returned with a notice that the office had no provisions for handling early applications. An application to the U. S. Department of Agriculture under the Farmers Home Administration program was rejected for reasons unknown. When he inquired at the State EDA office about Public Works funds, he was first told Bolton was ineligible and then told if he submitted an application to request no more than $200,000. However, he submitted an application for $360,000 through the Atlanta office which was approved. After receiving first year Community Development

Block Grant funds, his second year application was rejected and he was told he could reapply as an alternate. After finding the city targeted to receive the funds in question was one of the highest per capita income communities in the State, with less than two percent Black population, he objected and the other town was subsequently disqualified. Mayor Thompson is still waiting, however, for approval of both his second year and third year applications.

The Mayor suggests that his difficulties are not unique--that most Black mayors in Mississippi have had similar experiences. And, indeed, there are striking parallels with the case of Mayor Charles Evers, discussed earlier.[73]

Coleman Young
Mayor
Detroit, Michigan

Mayor Young has a long-standing familiarity with harassment, having been the founder of an organization--the National Negro Labor Council--that during the McCarthy era was investigated by the U. S. House Un-American Activities Committee and listed by the U. S. Subversive Activities Control Board as a Communist front. For seven years thereafter, Young found employment opportunities to be extremely limited. He persisted in labor organizing activities, however, and subsequently won a seat as a delegate to the Michigan Constitutional Convention which was followed by his election to the Michigan State Senate where over a period of nine years he developed a reputation as one of the most effective State legislators. As a public official, he has steadfastly pursued his fight against racial discrimination, poverty, corruption and urban decay. And the charges of Communism have continued to be raised in each successive campaign.

The harassment since becoming Mayor of Detroit in 1973, however, has taken a somewhat more subtle course in the form of biased coverage of his administration by the print media--most notably, the Detroit News and the Detroit Free Press--as well as by television crews. Although the Mayor is inclined to attribute the negative coverage to the ignorance and often unconscious prejudices of individual reporters, rather than a formal management policy, the collective impact nevertheless takes its toll on Young and his administration, and arouses the ire of Detroit's Black community and the Black press.

An early example of the prejudicial coverage was an analysis printed of some 20 of the Mayor's key appointees. Although the story in itself was not unreasonable, the headline strongly suggested an overriding characteristic of incompetence; significantly, the only pictures of his appointees run with the article were all of Black women.

Shortly after taking office, the Mayor implemented a strong affirmative action program in the police department, and much of the negative publicity has been related to the promotion of Black officers and to the issue of crime. In the Fall of 1976, the papers ran numerous stories and editorials regarding local and Federal narcotics investigations which repeatedly mentioned the names of members of the Mayor's family, although no charges had been filed. The articles contained innuendos regarding police officers that the Mayor had appointed, the implication being that the Mayor was either promoting corruption or promoting unqualified officers, and possibly was attempting to block the investigations. One editorial went so far as to draw a parallel between the Mayor and Richard Nixon, suggesting that the Mayor's behavior was beginning to resemble that of Nixon's shortly before he resigned the Presidency.

Incidents of crime in Detroit constantly receive an extraordinary amount of attention from the print media in an almost "exploitation" style, while little coverage is given to the Mayor's positive efforts to unite and rebuild the city. The extreme focus on the issue of crime and the nature of the stories is interpreted by many to be fundamentally racist and highly derogatory of the Black community. The consequence is the creation of an atmosphere of despair and fear, and the cultivation of an image that not only reflects negatively on the Mayor, but does extensive damage to the city as a whole. That occasional recognition is given to the Mayor's efforts must be attributed to the fact that the sheer weight of his effectiveness is such as to preclude absolute and total denial.[74]

City and County Governing Officials

The statistics on the incidence of harassment for this category and the next three categories must be viewed as the least reliable of those identified in the study. The volume of harassment is certainly not overstated. For a variety of reasons, including those stated in the introduction to this section and the fact that the survey follow-up was less intense at these levels, the cases presented here must be considered only as descriptive of the nature of harassment, rather than as some measurement of the magnitude. In 1976, there were 315 Black members of county governing bodies and 1,442 Black members of municipal governing bodies. Together these two groups account for 44 percent of all Black elected officials.[75]

Richard Arrington
City Councilmember
Birmingham, Alabama

Councilmember Arrington was one of the persons identified in the files of the Alabama Peace Commission when the Civil Liberties Union filed a suit against the agency. (For elaboration, see the case entitled, "The Price of Law and order.")[76]

William J. Chenault
Former Vice Mayor
Cincinnati, Ohio

While serving as Vice Mayor, Mr. Chenault was charged with felony counts of embezzlement and theft in office. Charges were dropped when he pled guilty to four counts of misdemeanors and resigned from office.[77]

C. Jack Coleman
Former City Councilmember
Plainfield, New Jersey

During his campaign for office, Dr. Coleman reports, his posters were removed from public display by local police. After taking office, he was frequently called upon by constituents to investigate incidents of police brutality. He began testifying and speaking out about police practices, and harassment against him and his family by the police escalated accordingly.

In one incident, Dr. Coleman relates his son being run off the road by a police car while riding his bike. His son, he says, was taken to police headquarters and physically assaulted. Charges were filed against the police; the police counter-charged. Following the court hearing, the police were acquitted and his son placed on probation. In another incident, the police came onto the private property of the Coleman's for the alleged purpose of confiscating his son's mini-bike. According to Dr. Coleman, Mrs. Coleman objected, whereupon she was told to "shut up" and then roughed up when she persisted. As this was occurring, relates Coleman, a crowd assembled, including some 10 to 15 children, whereupon the police took out their shotguns and held them on the children. Another officer arriving on the scene intervened in the arrest and mistreatment of Mrs. Coleman. Charges were also filed in this incident, and although several of the children testified in court as to what had transpired, the judge dismissed the case.

In 1974, Dr. Coleman's income tax returns were questioned by the IRS, a move he suspected of being related to the police brutality controversy. The Courier News initially provided coverage of Dr. Coleman's actions in what he considered a fair and impartial manner. However, as the conflict progressed, he was told by the city hall reporter, Jack Gill, that he had been instructed by the publisher of the paper to cease being so fair in his reports.

Dr. Coleman resigned from the Council in 1976 to relocate to a new job.[78]

David Cunningham
City Councilmember
Los Angeles, California

Councilmember Cunningham relates as harassment a sequence of events in which he says Blacks were used as fronts. He was first the subject of a recall effort, which failed; then was sued on charges of denying a person's civil rights, which was dismissed; then was sued for alleged libel and slander. This most recent suit is currently pending.[79]

Pierre Hollingsworth
City Commissioner
Atlantic City, New Jersey

At issue on the November 2, 1976 ballot in Atlantic City, New Jersey was a proposed charter amendment providing for replacement of the commissioner form of government with a mayor-council form. The Atlantic City newspaper, The Press, reported positively on the proposed reform throughout the discussions of the Charter Study Commission and editorialized strongly in its favor during election campaigns. Five days before the election, Commissioner Hollingsworth, at the invitation of the union, attended a meeting of city sanitation workers to discuss ballot measures. The Press subsequently carried front page stories headlined "City Officials Tell Workers How to Vote." County Prosecutor Richard J. Williams subsequently began an investigation to determine whether Hollingsworth and another commissioner were in violation of State election laws. The case was presented to the Atlantic County Grand Jury, which found no cause for an indictment. The Press' report of the Grand Jury's decision was carried on page 14. Hollingsworth characterized the incident as a fight over the change in government, rather than a serious issue of legality--as an effort to discredit him and force the passage of the government change, which, he points out, failed because "all black precincts went against the change."[80]

Ira Jackson
City Councilmember
Atlanta, Georgia

Income taxes audited by the IRS.[81]

Ben E. Johnson
City Council President
Milwaukee, Wisconsin

Character assassination by the media, personal threats, and suspected law enforcement surveillance.[82]

Sarah Johnson
City Councilmember
Greenville, Mississippi

Income taxes audited by the IRS in 1973 and 1974.[83]

John McCown
Former County Commissioner
Hancock County, Georgia

An article in the August 22, 1976 edition of the Sacramento Bee was headlined "First in the Nation: Black-Run County Has Woes But None of Them Are Racial." The county referred to was Hancock County, Georgia. The presumption of absence of racial implications in the county's problems was based on the circumstance of a split in the Black leadership within the county. The split in the leadership is the result of certain Blacks having attempted to build a Black political machine, while others opted to solicit the support of "old line" white leaders. This is not an unusual pattern, particularly in the South, and it makes of the situation no less a racial issue. Given the history of politics in Hancock County, it is difficult not to view the current dilemma in terms of Black and white.

The history and current status of Hancock county politics constitutes an extremely complex situation, and a highly sensitive one--so sensitive that those participants who remain decline to talk about it. The chief participant, John McCown, was killed in the crash of a private plane on January 30, 1976. This sketch of some of the main issues involved is consequently based on information from second-hand sources--and even those sources wish to remain unidentified.

The case of Hancock County is testimony to the fact that Black political machines will not be tolerated. Indeed, when the machine gained control of the county, it was derisively referred to as the "Mayfield Mafia"--Mayfield being a small town outside the county seat of Sparta which became the headquarters for Black political power.

The acquisition of power was instigated and master-minded by John McCown. McCown came to 70 percent Black and very, very poor Hancock County in 1966 as a 30-year old voting-rights organizer with a history of involvement in the national NAACP, CORE and SCLC. With the goal of developing a local Black economy, he organized an anti-poverty agency, the East Central Commission for Opportunity (ECCO), and obtained not only Federal funding, but sizeable private foundation grants as well. McCown served as well as executive director of the Atlanta-based Georgia Council on Human Relations, through which the funds to ECCO were channeled for a five-year period before he resigned in 1971. With these funds, ECCO developed a catfish farm, a concrete-block plant, a wood products plant, and a sheet-metal plant. It started a major housing project, installed water and sewer systems, renovated government buildings, and provided child-care services.

In 1966, two Blacks were elected to posts on the Board of Education and the County Commission. In 1968, McCown himself was elected as the second Black serving on the three-member County Commission. Between 1968 and 1972, McCown, along with other Black leaders nation-wide, was courted by the Republican Party. McCown's personal philosophy was that "Blacks, particularly in the South, cannot afford the luxury of partisan politics." Thus, recognizing that Republicans now controlled the resources he sought for Hancock County, he established relationships with State and Federal Republican leaders. In 1972, McCown organized an active county Republican Party as a way to afford local Black candidates two shots at election--a kind of "insurance." At that time the county was essentially Democratic, but (statewide) political candidates could run in both party primaries. (This has since changed, in large part because of Hancock County's use of the system.) Thus, if a Democratic candidate were defeated in the Democratic primary, but had won as a Republican in the Republican primary, he could again challenge his opponent in the general election on a Republican versus Democratic basis. This strategy was successfully employed by the Black political machine and withstood a court challenge by whites upon their ultimate defeat in the general election.

In 1970, McCown did not seek re-election, but two other Blacks--both employees of ECCO--were elected to the Commission, maintaining the Black majority of two of three seats. This majority promptly named other Blacks to key county boards that previously had been all white. In addition, a Black Probate Judge was elected in 1968, a Black Clerk of Superior Court in 1970, and by 1972 the five-member Board of Education was controlled by Blacks. A Black was also elected to the post of Superintendent of Schools in 1972. In the meantime, although McCown had relinquished his Commission seat, he continued to function as the political "boss", and the trouble began.

The white-controlled city police department ordered ten machine guns. McCown appealed to then-Governor Jimmy Carter's office, but was unable to get beyond aides who took messages and delivered no relief. The county, reasoning that it was three times larger than the city and therefore needed three times the "protection", ordered thirty machine guns, and deliberately leaked the news to the press. The city, at that point, appealed to Governor Carter on the basis that white lives were threatened. Carter responded by calling in the State Bureau of Investigation (SBI), who reported on a recently organized Black gun club while ignoring a white gun club that had been in existence for years. McCown went on radio and television defending the Black gun club. Carter took the position he would not tolerate "lawlessness." The FBI then came in to investigate possible violations of gun control regulations. The city turned over its ten machine guns to the State patrol in return for cancellation of the county's order for thirty guns.

Subsequently, a 1974 OEO grant for Hancock County was held up by the Governor on the basis of allegations that funds would be used to pay county staff. Carter requested, among other things, an audit of ECCO before he would approve the county grant application, even though ECCO was not the applicant agency. At that time, McCown was no longer a County Commissioner and was serving as the paid staff director of ECCO. Another Black man, Johnny Warren, who was Chairman of the Commission, was also an employee of ECCO.

After considerable pressure was applied, and an audit completed of past use of funds which revealed insufficient irregularities to press charges, the grant was approved. This grant was to be used in part to review the tax assessment structure of the entire county, and most pointedly, assessments of large tracts of land held by absentee lumber companies. Recommendations were prepared for a new tax structure which Blacks, now being in control of the county, had the power to implement--and which, if adopted, would have cost large sums of money for white businesses and companies, especially those in forestry.

During and following the controversy about the county grant, the Atlanta Constitution printed articles highly critical of John McCown that ultimately triggered a Grand Jury investigation. The press alleged various improprieties by McCown, including that he purchased land and then sold it to ECCO at a profit. The charge resulted in impoundment of OEO funds and effectively blocked action on the tax assessment recommendations.

At this point, McCown was apparently advised by many of his friends to back down. He refused. McCown has been characterized as having been flamboyant, arrogant, strong-willed and stubborn. He declined to stay away from the media, and his aggressive behavior further jeopardized ECCO's sources of funding. McCown was reportedly under on-going surveillance and wiretapping by the SBI and FBI. He and his employees and associates were investigated by the IRS. Tax liens were placed on ECCO. He was repeatedly threatened that contracts were out on his life.

In June 1974, the Atlanta Constitution printed a series of investigative articles highly critical of McCown's efforts, alleging misuse of funds for private gain, and containing charges that included bookkeeping irregularities, use of private planes, the building of a night club, land purchases and construction of a private home with grant funds. Acquaintances of McCown say he had sufficient personal resources to build the home on his own, that the so-called "night club" was a facility attached to one of the factories--a legitimate grant expenditure, used for recreation and meals by factory employees. McCown maintained that the "home" or "mansion" referred to by the press was actually being developed as a conference center, primarily at his personal expense, and would be turned over to the project at cost when grant funds became available.

The Constitution reporter who wrote the articles was believed by many to have been "bought." His reports consisted largely of innuendo, rumor and implication. McCown fought back by holding press conferences and speaking out at every opportunity to publicize the success of the ECCO projects in reducing poverty and to question the IRS audits and media attacks.

These combined events resulted in a massive investigation by the Federal government that included, according to a brief filed by the Department of Justice, evidence provided by the FBI, auditors of OEO, the General Accounting Office, and investigative reporters for the Atlanta Constitution."

In September of 1974 an official investigation of ECCO by a Federal Grand Jury in the Northern District of Georgia was begun. Virtually all of ECCO's records and those of affiliated companies, including private companies whose only connection with ECCO was via financing by ECCO's MESBIC (Minority Enterprise Small Business Investment Company) were subpoenaed. The subpoenaes called for production of all financial records, correspondence, telephone bills, even interoffice memos. In November 1974, the Constitition headline read, "Federal Probe Links McCown to Kickbacks." Coincidentally, that same month, the Georgia Association of Elected Black Officials adopted a resolution commending ECCO and elected Black officials in Hancock County.

As the Federal Grand Jury investigation was underway, new complications were developing locally. A staff member of ECCO was ticketed by a city police officer for being parked illegally. The staff member claimed that she was not illegally parked and tore up the ticket. She was arrested, refused to pay the fine and was jailed. McCown then tried to resolve the problem over the telephone by offering to post her bond. The police chief refused, and McCown went into town followed by concerned co-workers. He was arrested for leading an illegal demonstration, and after refusing to post bond was also jailed.

While he was in jail, an old colonial mansion scheduled for refurbishing by the city as an historic building was burned. While not formally charged with arson, McCown was accused in newspaper articles of having been responsible for the burning. McCown countered that the building had been burned by whites to fabricate the basis for further reprisal. He said the burned building had belonged to a former white police chief who had been run out of town because of his cooperative efforts toward the Black community, and that he would never have had anything to do with any hostile act directed toward him. He further pointed out that three separate fires had taken place in the Black community while he was in jail; two in the homes of individuals working in the ECCO-owned theater and one in a furniture store financed by ECCO MESBIC. Whites were seen running from the direction of the furniture store moments before that fire was discovered, yet no charges were ever filed by city police. Some Blacks were quoted in the newspaper articles as being as frightened of the McCown machine as they were of the Ku Klux Klan. Acquaintances of McCown claim that, in fact, most Blacks were supportive of McCown's efforts, but a few who were afraid of the white power block rejected him. These Blacks then started getting harassed, and the harassment was attributed by whites to the McCown machine.

Meanwhile, the Grand Jury began issuing indictments of members of the machine. One of them, Johnny Warren, was indicted January 29, 1976, the day before McCown was killed in a plane crash. Warren ran for re-election to the County Commission in the summer of 1976 while under indictment and won, as did the rest of the machine slate. Their opponents, however, filed suit charging election irregularities. Of the ten defendants in the suit, all were Black. Of the ten plaintiffs, seven were white and three Black. An investigation found a malfunctioning voting machine might have affected election results and a new primary election was ordered held in October. By this time, Warren had been convicted of perjury and was appealing. Before the second primary election was held, his appeal was dismissed. He served 45 days in jail and consequently became ineligible to run again for office.

Leroy Wiley, the Black clerk of Superior Court, and Jesse Jackson, a white businessman who had sold land to McCown, were also indicted for perjury prior to McCown's death and tried in the summer of 1976. Wiley was acquitted on all three counts against him after only forty minutes of jury deliberation. Jesse Jackson was acquitted on two of eight perjury counts with a hung jury 9 to 3 in favor of acquittal on the remaining counts. These counts were later dismissed by the government.

Upon McCown's death the U. S. Attorney's office indicated that the investigation would be completed shortly, inasmuch as McCown had been the prime target. However, the investigation in fact continued until expiration of the Grand Jury in November 1976. ECCO and its affiliates were thus subjected to over two years of Grand Jury investigation, with no substantive charges resulting until September 1976. At that time, a one-count conspiracy indictment which defense attorneys term as "flimsy" was returned, naming six individuals--two white and four Blacks--and including John McCown, even though he had been dead eight months. Others named in the indictment included: Edith Ingram, Probate Judge and former director of the ECCO-sponsored housing development; James H. Jones, newly elected County Commissioner and long time ECCO employee; Earl Evans, former consultant to ECCO Fish Farm; Marion F. Fraleigh, long time administrative aide to McCown; John Glustrom, Atlanta businessman and former treasurer of ECCO's predecessor agency, the Georgia Council on Human Relations.

On the final day of existence of this Grand Jury, a second indictment was returned, naming eight individuals. Edith Ingram, Marion Fraleigh and John Glustrom were re-named along with the following: Roosevelt Warren, county attorney and general counsel to ECCO; John Askew, executive director of the Hancock County Housing Authority and director of the ECCO-sponsored housing development; Gerald Poe, principal in one of ECCO MESBIC portfolio companies; Charles Solomon, contractor who performed services for an ECCO MESBIC portfolio company; Gloria Gardner, general manager of ECCO MESBIC.

It remains to be seen what will be the disposition of these cases. What can be said with a degree of certainty is that today, the funds no longer come into Hancock County. ECCO is but a shell of its former self. John McCown is remembered as a hero by some and a trouble-maker by others. His Black political machine, though not totally destroyed, is seriously wounded. His followers continue to be harassed. But the people, if still poor economically, are richer for having dreamed, and wiser about the forces that work against them. Indeed, many in Hancock County have come to be believers in the existence of conspiracy between the media, big business (i.e.-the pulpwood companies), and the agents of the United States Government.[84]

Michael Mitchell
City Councilmember
Baltimore, Maryland

Michael Mitchell was elected to the Baltimore City Council in 1975. The younger brother of Senator Clarence Mitchell and the nephew of Congressman Parren Mitchell, he soon became a target of harassment himself. In the space of a year, his office was broken into and files disturbed on three separate occasions.[85]

Richard Taylor
City Councilmember
Plainfield, New Jersey

Councilmember Taylor was appointed to fill the vacancy created by the resignation of Dr. Jack Coleman and subsequently was elected in November, 1976. As did Dr. Coleman, Mr. Taylor has taken strong public stands on matters related to the police, advocating residency requirements, and calling for priority emphasis to be placed on the protection of people, rather than of property. Within a month of being on the Council, the Courier News carried a front page article headlined "Taylor and Wife Arrested..." complete with his photo. The impetus for the story was a series of parking tickets Mr. Taylor had received some time previously while a county employee--tickets issued due to a failure of the county to communicate to law enforcement officials that he was authorized to receive county parking privileges. The story would seem to have clearly resulted from a cooperative police/media effort, and been designed to discredit the Councilmember. He was not contacted before the story was released. The effect, however, was to increase support for Mr. Taylor in the Black community.

Taylor and members of his family have been harassed on the phone and been the recipient of subtle threats; he suspects his phones of being wire-tapped. The coverage he receives from the Courier News centers on such things as missing a Council agenda meeting--although absences of other Council members are not reported.

Taylor takes the position that elected officials cannot successfully fight the press, and to attempt to do so only compounds the problem because "once they decide to break you, they will print anything and then claim First Amendment privileges." To respond personally, he suggests, is a waste of time, and obtaining a retraction does no good anyway because the damage has already been accomplished. The only defense, he says, is to "be more careful..."[86]

Carl Ware
City Councilmember
Atlanta, Georgia

Auditing of income taxes.[87]

Leon Williams
City Councilmember
San Diego, California

Councilmember Williams was first elected to office in 1969. The same year, he became involved in attempting to resolve conflicts occurring between the Black Panthers and US. He was told that the FBI had discovered there was a contract out on his life, the implication being that he should withdraw from his role as mediator. When the Church Senate Intelligence Committee investigations revealed that the FBI had itself been involved in creating dissension between the two groups, Williams surmised that their "warning" him of the alleged contract was a device on their part to remove him from the issue and prevent his intervening in the FBI's strategy. A lawsuit was filed with the Supreme Court in an attempt to gain access to the files; the case was referred back to the Appellate Court and has yet to be heard. The San Diego City Council and manager are continuing efforts to obtain access to the files.

On a more general basis, Councilmember Williams notes harassment by omission in the lack of media coverage he receives and the tendency for others to be given credit for his work.[88]

City Councilmember
Southern State

A councilmember reports distorted and biased coverage by the media, noting a pattern of being misquoted and charged by innuendo with having conflicts-of-interest through implications that contractors with the city are legal clients of his.[89]

Former City Councilmember
Southern State

A former City Councilmember attributes his defeat in his bid for re-election to media attacks--to the "scandals" the media created by starting rumors and perpetrating outright lies.[90]

City Councilmember
Midwest State

Distortion of facts in news articles and tendency for credit for efforts and accomplishments to be given to others.[91]

County Commissioner
Southern State

Experiences with harassment have ranged from media attacks and character assassination to accusations against family members and surveillance by law enforcement personnel.[92]

City Councilmember
Southern State

A Councilmember in a rural area of a Southern State reports attempts at character assassination and threats and accusations against members of his family.[93]

City Councilmember
Western State

Taxes audited for three successive years.[94]

Law Enforcement Officials, Education Officials, and Other Local Officials

The category of elected law enforcement officials includes judges, justices, magistrates, chiefs of police, constables, marshalls, sheriffs and justices of the peace. They are not separated according to level of government. The total number in 1976 was 412, accounting for 10.4% of all Black elected officials.

Education officials include members of state education agencies, state boards of education and college or university boards; county, municipal, and school district boards of education members; and other officials having school-affiliated responsibilities not specified above such as elected superintendents of schools. The total in 1976 was 994, which represents 25% of all Black elected officials. Of these, 939 were members of local school boards.

The category of "other local officials" includes county clerks, registers of deeds, tax collectors, tax assessors, county election commissioners and other county officials other than those serving on legislative bodies; city and town clerks, tax collectors, treasurers, and other local officials excluding those serving as mayors or members of municipal governing bodies; and members of regional bodies. In 1976 these three groups totaled 171.[95]

The incidence of reported harassment is clearly proportionately lower at these levels than at other levels of office.

Recorder's Court Judge
Midwestern State

Deliberate and unnecessary delaying of disposition of charges by court of appeal; biased media coverage.[96]

Judge, Court of Common Pleas
Northern State

Biased media coverage, professional character assassination, auditing of income taxes, and the filing of a citation to the judicial inquiry and review board.[97]

Chief of Police
Southern State

A police chief of a southern town has had to contend with law officials refusing to jail prisoners under his administration.[98]

County Judge
Southern State

Investigations and law enforcement surveillance throughout three and a half years on the bench.[99]

Justice Court Judge
Southern State

Problems centered around the practice of patrol officers taking defendants out of his jurisdiction to other districts handled by white justices. Since justice court judges work on a fee basis, the economic ramifications are considerable. Relief was sought through appealing to the District Highway Patrol office.[100]

Former Justice of the Peace
Northern State

A former justice of the peace in a Northern State reports income tax auditing and investigations by the Department of Justice. This official was suspended, named as an unindicted co-conspirator in an alleged scandal, then indicted, and finally lost his office.[101]

W. Harry Davis
Board of Education Member
Minneapolis, Minnesota

Mr. Davis came into office in 1969 with a history of civil rights involvement that was accompanied by investigations by local and Federal agencies and law enforcement surveillance. As a member of the Board of Education--particularly during efforts to desegregate the schools--he was the recipient of numerous threats. Harassment from individual citizens and local police officers accelerated when he ran--unsuccessfully--for Mayor in 1971. That the harassment has not been more destructive than it has he attributes to four factors: fair treatment from both print and broadcast media in his city; support from city business and industry for civil rights efforts; good leadership from state and local civil rights agencies; and the support for civil rights and condemnation of harassment of minorities by area Congressmen--Humphrey, Mondale, Fraser, Frengel and Quie.[102]

Sam Solomon
Former School Board Trustee
Murphy School District
Phoenix, Arizona

In 1974, the Murphy School District in Arizona became the first and only district in the State to be controlled by minorities. Opposition to the new administration led to a successful recall effort in 1976. The recall was challenged by Sam Solomon on grounds of numerous election irregularities, but his complaints were not investigated. Mr. Solomon, one of those recalled, indicates their opposition received support in their efforts to discredit them from the Phoenix Gazette and KOOL TV-Channel 10, as well as State departments including the Attorney General. Minority members of the Board who succeeded those recalled have also found their efforts under attack.[103]

School District Trustee
Southern State

A school district trustee reports harassment in the form of hate mail.[104]

School Board Director
Western State

A school board member reports harassment in the form of white neighborhood newspapers serving as the organ to attack efforts by Black members to protect the interests of their constituency.[105]

Tax Assessor
Southern State

A tax assessor in a Southern State found himself the object of a recall effort and character assassination when he observed the law by mailing out tax notices on time.[106]

Evan Doss
Tax Assessor
Claiborne County
Port Gibson, Mississippi

In 1971, Mr. Doss was elected the nation's first Black county tax assessor. Upon taking office, he "began to press for reforms which would equalize the tax burdens on the county's poor, who are predominantly black. The county's board of supervisors slashed Mr. Doss' budget and deprived his staff of the professional help vital to his effective functioning." The Medgar Evers Fund then made a grant available for Mr. Doss "to employ a part-time bookkeeper and accountant to carry out his public duties."

In 1975, a referendum was placed on the ballot requiring the Board of Supervisors to reappraise all county property. Throughout the campaign, Black voters were intimidated and Doss was attacked via rumors and false accusations designed to discredit him. In addition, two county Supervisors charged Doss with refusing to sell them tags; he was indicted and convicted in the State Circuit Court by a judge commonly referred to by the people as "the hanging judge" because of his extreme racism. Doss was fined $1,000 and sentenced to 90 days in jail. He served two days of the sentence before being acquitted on appeal to the State Supreme Court.

As of the 1976 elections, the county Board of Supervisors had a majority of Black members and the opposition to Doss and his efforts has dissipated. Last year, his income taxes were not audited by the IRS for the first time since taking office. The local media still provides no coverage of his activities--which have resulted, among other things, in bringing an additional $400,000 in revenue to the county.[107]

James Hopkins II
Former Circuit Court Clerk/Register in Equity
Macon County
Tuskegee, Alabama

This incident is presented last because even more than most others, the case of James Hopkins defies reduction to the written word. Listening to his resonant voice, filled at once with anger and sorrow and weariness, one had the feeling that it spoke for hundreds of nameless, faceless men and women--for all those who occupied positions in small towns and villages across the country who never gain national prominence, who go about their tasks day by day, quietly committed, without recognition, with no bestowal of honors. Yet, at the same time, there was a special poignancy about his story--a quality that made it uniquely, exclusively his own. Listening to him, one was reminded that each story--those told and those untold--was special and different; that the pain of each person was singularly important and to be compared with no other, because each individual human being was precious and irreplaceable. The following are some of the facts; they do not capture the full story, because the facts do not capture the human spirit.

James Hopkins was elected in 1970 to a six-year term as the circuit court clerk of Macon County. The tradition has long been for the clerk, upon election, to be automatically appointed by the presiding judge to serve concurrently as register in equity. Unlike all his predecessors, Hopkins was not appointed; rather, the white man he defeated was allowed to retain that position. The clerk works on a fee basis, rather than a salary, as does the register in equity. The latter office receives fees from handling land sales and divorces, while the clerk receives fees from traffic cases. The State had a justice of the peace system, however, which also handled traffic citations. After Hopkins took office, most of the traffic cases were taken by highway patrol officers--who were all white--to white justices of the peace. Having neither these fees nor the fees as register in equity, he was unable to generate enough money to operate the office. The assumption--and intent--was that he would consequently resign from office, and the judge could then appoint the person he had defeated for the position of court clerk.

For a time, he kept the office open on a reduced schedule of two or three hours a day, using some $16,000 of his own money--which was never reimbursed--to pay his staff and operating expenses and to keep from going out of office. When he was unable to continue, he closed the office. He was ordered by the court to reopen, and charged with contempt of court when he failed to do so. Hopkins retained an attorney and filed a Federal lawsuit. The morning of his hearing on the contempt charge, the presiding judge, apparently fearful of adverse publicity, called and told him if he would "come on back and act right," he would appoint him register in equity. Hopkins responded that he would come back only after he was appointed. He was then found in contempt and spent six hours in jail before being released. Ultimately, the register in equity was appointed to another position and Hopkins was then appointed to fill the resulting vacancy.

Unlike many white officials who--as Hopkins describes them--live in another county, and do nothing but shake hands and take money from Black folks by charging excessive fees, Hopkins conducted himself in what he considered a legally and ethically sound manner. He eventually extended office hours to 24-hours a day; he revised the court system; he established an intern program in conjunction with Tuskegee Institute; he implemented an education program in lieu of suspending drivers licenses of persons convicted of driving while intoxicated; he challenged the State justice of the peace system with a Federal lawsuit and succeeded in having the system abolished, which resulted in considerably increased revenues to the county.

While in office, he developed educational material explaining the structure and procedures of the judicial system and spoke to school classes at every opportunity as an expression of his deep conviction that the masses of Blacks remain largely ignorant of how the system works and therefore remain its victims.

Also, while serving in office, he was stopped one day, just across the Mississippi State line, by a highway patrolman. Hopkins admitted he had been speeding and, telling the officer his driver's license was in the trunk, got out of the car. The patrolman said to him: "You're supposed to be 'Yes Sir'-ing me," then hit him in the face, breaking his glasses. Hopkins was arrested and charged with speeding and resisting arrest. He filed a suit against the officer charging assault and battery and destruction of personal property. Hopkins was convicted of both charges; the officer was acquitted.

During his campaign for re-election, no recognition was given to his many positive efforts to improve the performance of the office, or to the integrity he brought to his position. Rather, he was accused of being too controversial. His opponent characterized him as a trouble maker who went to other States and got himself jailed. He was criticized because "he never smiled." He was the subject of rumor campaigns about his "chasing after women--white and black." Perhaps most painful of all, he was attacked, deserted and spurned by Blacks who, out of fear or ignorance or expediency or expectations of performance that were totally unrealistic, supported his white opposition: an opposition that paid for votes, that made overt threats of job losses, that exploited a lingering and intimidating psychological conviction of white superiority.

He was defeated in his bid for re-election.

His weariness, he says, is that he tried so hard and failed.

His sorrow, he says--and at the same time, his relief in having lost--lies in knowing that had he been re-elected, he would have capitulated; he would have gone along with the system, because "it isn't worth it to try to fight a system that is fundamentally wrong, when Blacks are turning against you, too."

His anger, he says, is that the oppression of racism still reigns, and that it operates to make enemies of both Blacks and whites.

His challenge, he says, is to educate and organize the people; to begin working once again outside the system to create a support base of knowledge and unity, that those who follow him might not have to repeat his experience.

Then, finally, with a curious, haunting mixture of defiance and wistfulness, he says, "I was the youngest person ever elected to office in this county...And now my soul is just worn out."[108]

* * * * *

The officials themselves, in the cases just recited, have told the story. It would seem there is nothing more to be said. Listening to them, one is overwhelmed almost to the point of silence by the avalanche of viciousness and ruthlessness that descends upon them.

Yet, listening to them--absorbing the reality of their existence; grasping that, finally, their numbers are sufficient and their impact of such a threat as to arouse the wrath--one is curiously elated.

Listening to the chorus of their voices, one begins to hear the whispered echo of Lorraine Hansberry, whose words, it seems, were as much prophetic as reflective:

> I am the first to say that ours is a complex and difficult country and some of our complexities are indeed grotesque. We who are Negro Americans can offer that last remark with unwavering insistence. It is, on the other hand, also a great nation with certain beautiful and indestructible traditions and potentials which can be seized by all of us who possess imagination and love of man. There is...a great deal to be fought in America--but, at the same time, there is so much which begs to be but reaffirmed and cherished with sweet defiance.[109]

1/ These quotes were among the survey responses from Texas, North Carolina, Michigan, Louisiana, California, Minnesota and Pennsylvania. They come from state representatives, city council members, board of education members, county officials and judges.

2/ See "Defining the Question."

3/ These three cases are cited in "Election '76: Not Equal For All Americans", a publication of the Voter Education Project.

4/ Survey referral.

5/ From "The Voting Rights Act--An Historical Perspective", The Journal of Intergroup Relations, May 1975.

6/ From "Andrew Young: The Path to History", an analysis by the Voter Education Project.

7/ Chuck Stone, Black Political Power in America (Delta Publishing Co: New York), 1968.

8/ 1967 CQ Almanac.

9/ Jack Slater, "Harlem Bids Farewell to Keeper of the Faith," Ebony, June 1972.

10/ Chuck Stone, op. cit.

11/ Jack Slater, op. cit.

12/ Chuck Stone, op. cit.

13/ 1967 CQ Almanac.

14/ Chuck Stone, op. cit.

15/ 1967 CQ Almanac.

16/ Ebony, Editorial Comment, June 1972.

17/ Interview.

18/ Interview.

19/ Interview.

20/ Interview; "Evers: Black Symbol on Trial," Los Angeles Times, August 1975 and other articles by Jason Berry; Times Picayune, New Orleans, La., June 15, 1975; Winston County Journal, Louisville, Mississippi, June 19, 1975; Birmingham News, June 10 and 11, 1975; Daily News, Jackson, Mississippi, June 13, 1975; Greenwood Commonwealth, Greenwood, Mississippi, June 9, 1975.

21/ Interview; Charles H. King, Jr., "Toward The Urban Future," Urban Crisis Center, Atlanta, Georgia.

22/ Interview.

23/ Interview; Stokely Carmichael and Charles Hamilton, Black Power: The Politics of Liberation in America (Vintage Books: New York), 1967.

24/ Alex Poinsett, "1973: Year of Watergate", Ebony, January 1974.

25/ Carl Rowan, "Is There a Conspiracy Against Black Leaders?" Ebony, January 1976; Sacramento Observer, July 15-27, 1976; Susan Brownmiller, "This is Fighting Shirley Chisholm," The Black Politican: A Journal of Current Political Thought, Summer 1969.

26/ Editorial Comment: A Letter from Representative William L.Clay to the St. Louis Post-Dispatch, June 3, 1976.

27/ Survey response; Jack Slater, "Ron Dellums and The Politics of 'Niggers'", Ebony, May 1972.

28/ William L. Clay, op. cit.; Survey referral; Jet, January 6, 1977.

29/ Alex Poinsett, "The Fords of Memphis", Ebony, February 1975; Survey referral.

30/ Carl Rowan, op. cit.

31/ William L. Clay, op. cit.

32/ William L. Clay, op. cit.

33/ Joint Center for Political Studies, Roster of Black Elected Officials, June 1976. Two Supreme Court judges, a state superintendent of public instruction, and eight other state-wide educational officials are included in the Law Enforcement and Education categories.

34/ Survey referral.

35/ Carl Rowan, op. cit.; The Philadelphia Tribune, June 5, 1976.

36/ Joint Center for Political Studies, op. cit.

37/ Jet, March 3, 1977.

38/ Survey response.

39/ Survey response.

40/ Survey response; Remarks at the NAHRW Conference, October 25, 1976, Atlanta, Georgia; Jason Berry, "The IRS Bullies the New South," Nation, March 6, 1976.

41/ Survey response.

42/ Jason Berry, op. cit.

43/ Jason Berry, op. cit.

44/ Alex Poinsett, op. cit.; Jason Berry, op. cit.

45/ Judy Ann Miller, "The Representative is A Lady," *The Black Politician: A Journal of Current Political Thought*, Fall 1969; Survey referral.

46/ Interview.

47/ Carl Rowan, op. cit.; Jason Berry, op. cit.; Atlanta *Journal*, October 13, 1976; Survey referral.

48/ Interview.

49/ *The Birmingham News*, May 16, 1976.

50/ Interview.

51/ Interview.

52/ Carl Rowan, op. cit.

53/ Survey response and interview; *The Movement*, Journal from the S.C.L.C. 18th Annual Convention, August 12-15, 1975.

54/ *Atlanta Gazette*, May 5, 1976; Jason Berry, op. cit.; Survey referrals.

55/ Survey response.

56/ Survey referral.

57/ Survey referral.

58/ Survey response.

59/ Joint Center for Political Studies, op. cit.

60/ Survey referral.

61/ Interview; Alex Poinsett, "Homeboy's Dixie Return Pays Off," *Ebony*, December 1972.

62/ Survey response.

63/ *San Francisco Chronicle*, November 6, 1975; Survey referral.

64/ Survey response.

65/ Survey response.

66/ Survey referral and interview.

67/ Survey response.

68/ Survey referral; St. Louis Post-Dispatch, May 11, 1976.

69/ Survey referral; Minority News Digest, December 13, 1976.

70/ Carl Stokes, Promises of Power: A Political Autobiography (Simon and Schuster: New York), 1973.

71/ Survey referral.

72/ Interview.

73/ Survey response and interview.

74/ Survey response.

75/ Joint Center for Political Studies, op. cit.

76/ The Birmingham News, op. cit.

77/ Carl Rowan, op. cit.

78/ Survey response and interview.

79/ Survey response.

80/ Survey response, The Press news articles, Atlantic City, N. J., October 1976.

81/ Atlanta Gazette, op. cit.

82/ Survey response.

83/ The Sun, Biloxi, Mississippi, June 13, 1975.

84/ Confidential sources.

85/ Survey referral.

86/ Survey referral and interview.

87/ Survey response.

88/ Survey response and interview.

89/ Survey response.

90/ Survey response.

91/ Survey response.

92/ Survey response.

93/ Survey response.

94/ Survey response.

95/ Joint Center for Political Studies, op. cit. Not included in the NAHRW survey was the category of members of neighborhood advisory councils, which in 1976 consisted of 194 officials.

96/ Survey response.

97/ Survey response.

98/ Survey response.

99/ Survey response.

100/ Survey response.

101/ Survey response.

102/ Survey response.

103/ Survey response.

104/ Survey response.

105/ Survey response.

106/ Survey response.

107/ Interview; "Five Years of Progress in Fayette," Medgar Evers Fund report.

108/ Interview.

109/ Lorraine Hansberry, To Be Young, Gifted and Black (New York: Signet Books), 1970.

II. METHODS, MEANINGS AND MOTIVES

The issues presented below are among those that appear to be central to the fate of Black politics. The issues are extracted from the themes and patterns that emerge in the cases presented in the preceding pages.[1] They include factors and entities involved in the complicity to harass and impede Black elected officials, as well as circumstances that weaken the institution of Black politics from within.

Many of the individually identified issues overlap; that is, they are interrelated, as will become apparent in the discussion. None of the issues are discussed here in depth. Thorough discussion of any one of the issues could constitute a report in itself. What has been attempted is to highlight significant elements in the issue of harassment, such that collectively their reading may constitute a kind of roadmap for use as a guide to more thorough investigation and analysis.

Racism

Racism--that greatest of sicknesses that have afflicted humankind--is the bedrock of the harassment of Black elected officials. Racism is both the climate in which the harassment occurs and the permeating fiber of every tactic discussed in the balance of this section.

The racism is expressed in multiple forms at various levels. The continuum begins with acts of ignorance--ignorance of Black thinking and feelings, of concerns and needs in the Black community. It includes value conflicts--and the expectation that Blacks should fit the white mold. It includes conflicts in vested interests--and the insistence on maintaining the advantageous positions of whites. It includes prejudice--stereotyping based on color, and dislike for peoples of color. It encompasses personal beliefs of white superiority and black inferiority. Finally, the continuum extends to systemic racism--to the racism institutionalized in the policies and practices of social, economic and governmental systems.

The most solid opposition to Black elected officials comes to those who are ideologically Black; that is, it is not just a matter of skin color, but of state of mind, and of acting out behaviorally an ideology of Blackness. The most strident objection is to Blacks who won't "stay in their place," who won't "act white." The consistent refutation is of the Black perspective--because it is not understood, or because it is threatening.

The expression of various forms and levels of racism is often referred to by Black officials, in their discussions of harassment, as "the double standard." By that is meant the tendency for Blacks to be judged by a different set of criteria than are applied to whites.

Examples of the double standard are found in the tremendous publicity given to Black officials who engage in a practice common to all officials, but for which white officials receive no criticism. Black officials are subject to reprimand for responding too attentively to the unique needs of Black constituents, while white officials who conscientiously serve white constituents are praised. White officials in many areas of the country and at various levels of office customarily appoint relatives and friends to their staffs, while the very suspicion of a similar act by a Black official provokes outrage.

The burden of this double standard for evaluating Black officials was noted by Carl Stokes, first Black Mayor of a major city, as he was learning the lessons that those who followed him have also since learned:

> "...The pace was incredible. We had so much to learn, we had to find people to take the key jobs, and we had to do it right. Everything had to be right because everything we did was in the limelight. Celebrity is a two-edged sword. It was personally exhilarating, but the responsibility was a steamroller. I knew that I had to be, in that horrible racist phrase, "a credit to my race." That meant that I had to be more creative, more honest, more intelligent, more available, more witty, more thorough, than any other mayor in the country. Every move had to be exciting and a confirmation of everyone's confidence in me... That January, for the first time in my adult life, my health broke down and I had to take a rest.[2]

Speaking to this same issue, and placing it in a larger perspective, Lt. Governor Brown has assessed the situation this way:

> ...Blacks are serving a several hundred year apprenticeship for the rights of citizenship... If this is not true, why is it that the Black public official is doubly scrutinized in his or her every move?...There is no doubt in my mind that minorities have had to earn their rights every day of their lives. And there is no doubt that if real freedom is to exist that we must call this phase of our life as a nation complete. The apprenticeship should be--must be--over. We know

> that minorities have served that apprenticeship well and should now be considered journeymen in the process, just as other Americans are journeymen in the continuous process of citizenship.
>
> Nothing we can do or say will change the fact that minorities are as human as the rest of the citizens. Nothing will change the fact that we sometimes will make mistakes and sometimes will fail. But we need to be judged on our own merits as individuals, and with no excuses from the majority community or from the minority community.
>
> And there is no need for excuses for us. We know we are somebody. We know we are capable of surviving if we are treated as equals...[3]

But Black officials are not treated as equals. They, too, continue to serve in the apprenticeship status imposed by the double standards--the racism--of this society.

Mass Media

Nowhere are the racism and double standards more apparent than in the treatment of Black elected officials by the white media.

The discussion of the mass media in a section separate from the corporate structure is not to say it is not a part of the corporate structure. It is a part of that structure. The publishing industry is first and foremost "big business." Projected revenues from advertisements alone in daily newspapers for the year 1977 are $10.8 billion. That sum alone --not to mention the relationship it speaks to with other corporations who are doing the advertising--precludes considering the mass media as anything but part of the corporate structure.

As with the business community generally, this industry has no particular sense of responsibility to serve the Black community. As Carl Stokes has put it, "American newspapers are white owned, white run, and operated for white advertisers and white consumption. They talk to, not with, the black community..."[4] Furthermore, there is a growing trend toward monopoly--toward the concentration of newspaper ownership in the hands of a few. While the Federal Communications Commission has promoted diverse ownership of radio and television, and recent U. S. court decisions limit combination newspaper/television ownerships in the same city, there really exists no regulation of the print media. In many major cities, both daily newspapers are owned by the same family, so that competition is nil. Diversity in television programming is severely restricted by virtue of there being only three commercial networks.

Where there is such concentration of such power of such an influential institution, there must be concern for the freedom of individual Americans--particularly those Americans who are economically poor or members of minority groups. As noted journalist Ben Bagdikian has observed, "When a powerful news organization speaks its mind, it is establishing the atmosphere of public dialogue. If that atmosphere is narrow and vindictive, the odds go up that the solution will be."[5]

Where Black elected officials are concerned, the atmosphere established by many news organizations--particularly in major cities such as Atlanta, Denver, Detroit, Los Angeles, and St. Louis--has certainly been narrow and vindictive. The print media, and to a lesser extent the broadcast media, rank as a major source of harassment, as one of the most prevalent tools for harassment of Black officials.

The harassment is to a certain extent quantifiable. It is measurable in part by simple absence of positive coverage. Official after official complains that the local media will provide little or no coverage of their positive efforts, and repeatedly give credit for their achievements to white officials. Black reporters have said that positive stories they write are killed. White reporters relate being ordered to be less positive in their coverage. Others claim that to go to work for a particular newspaper means accepting an unwritten contract to write of a particular Black official in a disparaging manner.

The bias of newspapers against Black officials is measurable in inches of print given to the official's version of a story as contrasted with space given to the charges against them, or to their opponents' views. The bias is reflected in the tendency to write the accused's side of the story at the end of the article where it is most likely to be cut. The bias is evidenced in the location of stories about Black officials--with unverified charges making the front page while reports of officials being cleared of charges are buried in the back pages, if they are carried at all, which for the most part they are not.

Headlines of newspaper articles and editorials notoriously convict Black officials of totally unfounded charges of criminality or corruption. The articles and editorials themselves often connote shades of the McCarthy era and of the presumed by-gone days of yellow journalism.

Newspapers seek out grounds for attacking Black officials, investing tremendous sums of money in investigations. The scope of these investigations is such that harassment extends to family members and associates of the official. The activities of the media become conspiratorial in nature, leading to printing of false information provided by police departments, confidential information obtained from Grand Juries, and illegally obtained information provided by intelligence agencies. FBI and CIA informants spying on Black officials are employed by the media; some journalists are suspected of being on the payrolls of the intelligence community. Reporters assigned to police beats sometimes become more police officer than reporter. Police officers carry bogus press cards in order to infiltrate meetings.

In some cases, the harassment takes the form of personal vendettas against certain officials. In others, the harassment seems to be directed more at certain officials as symbols rather than as individuals. The tactics vary from charging outright corruption on the part of the official, to implicating the official by innuendo through the disparaging of appointees, or through the constant emotional play on problem areas such as crime in the city. In some instances, the harassment of a Black official is wielded at the hands of an individual reporter, but whose constant attacks are condoned by the editors and publisher of the newspaper. In other instances, the harassment stems from what can only be concluded to be conscious, deliberate, formal editorial policy. In still other instances, the tone of the reporting and editorializing on Black officials is clearly set by the prejudices and objectives of the publisher.

Aside from such overt practices of harassment that constitute deliberate efforts to discredit an official, the coverage of Black politics by the white media is more often than not subtly biased--a circumstance reflective of the white values of the media establishment, of the near total lack of understanding by white journalists of the nature of the job of Black politicians, and of the influence of newspaper subscribers. (See subsequent section on "Value Differences.")

With regard to the role of subscribers, Dr. Alvin F. Poussaint once observed:

> In this country, these media are almost entirely white-controlled and are directed primarily to a white audience which ranges from avowed racial bigots to white liberals, many of whom are plagued with unconscious, latent racism. These people tend to see racial issues in accordance with their own economic, social and psychological vested interests.
>
> White newsmen, with these same interests, often

> unconsciously slant and deliver news in such a way as to appeal to the sentiments of their readers. Thus newsmen not only influence but reflect the climate of race relations in American society.[6]

The overall conduct of the white media toward Black elected officials poses one of the greatest threats--if not the greatest threat--to Black politics for three primary reasons. First, because of their tremendous power in shaping public opinion. Second, because the information they print so often is the catalyst for IRS, district attorney, and local police investigations, which even if resulting in no further legal action have the consequence of smearing the reputations of Black officials and costing them thousands of dollars in time and attorney fees. And third, because officials have no comparable arena for fighting back against the false accusations.

The power of the press is so formidable that Black elected officials themselves are often reluctant to take on the media and too often remain silent. As Lt. Governor Dymally says, "We attack everything in the country except the media." Nevertheless, the feeling on the part of many is that the time is long overdue for a critical look at the media, and some are, in fact, speaking out.

George Brown speaks of "the horrible process where some in the communications media have set out on a program to harass, discredit, and then defeat Black officials."

Hosea Williams asserts that, "In Atlanta, the media has historically chosen or crucified the Black leaders."

Bill Clay observes, "I don't know who can control the media. It seems to me that the media controls everything--including the people who buy the full-page ads. At one time, the business community used to influence the media, but it seems to me now that they buy off the media by purchasing full-page ads.

"I construe it as dictatorship by the media. I think that the Supreme Court decision that said because of the First Amendment right that public officials could not win lawsuits unless they could prove malice was most unfortunate. It has given a license to the media to say or do anything they want to do--to destroy characters and reputations that require twenty and thirty years to build.

"I think the pattern (of harassment) is across the country. I think we have too many underpaid, irresponsible news reporters in this country who envision themselves as Woodward and Bernstein investigative reporters. They no longer conceive of themselves as people who ought to just report the news in a straight manner. They are always looking for wrong. And even if they find no wrong, they attempt to write the story in such a way as to imply that there is some wrong-doing."

Merv Dymally offers these thoughts:

> In my judgment, if there were ever any abuse of the First Amendment, it was by the media. They use the First Amendment for every conceivable act of intellectual dishonesty and media hysteria...
>
> So it becomes perfectly proper for a major company to go into bankruptcy and end up with a one-column, one-inch story in the finance section of a metropolitan newspaper. But any politician who is involved in a failure in terms of private investment runs the risk of getting bad publicity...
>
> Let me point to a story that to me focuses the problem that we face in the media. From every report that one heard and saw, Barbara Jordan was certainly the star of the opening session of the Democratic Convention. But the next day, in the Sacramento Union, John Glenn got the headline. Now, how you control that...We don't. The perceptions of the person who wrote the story were those of a white male talking about patriotism. And his whole orientation, values, biases, were already part of him before he wrote the story...
>
> The higher up you go, the more vulnerable you become and the better the target for the media. As long as you confine yourself to the ghetto, and as long as you don't aspire to influence public policy, you will be left alone...
>
> When they write a story about you, you have to understand what they're trying to get is a law enforcement agency to investigate you or indict you. It doesn't matter whether you are convicted or not...
>
> Television and radio are not quite as bad as the print media. One of the reasons is that they (the print media) are losing circulation to the suburban papers and to television, and given their sense of false morality about sex stories, they are looking for political villains...
>
> The American media are racist in their hiring

> policies and their reporting of the news. The media are incompetent. There is a tendency among some reporters, once they have decided to write a story, to select only the facts that support their conclusions, and disregard others. More bluntly, the media, like law enforcement agencies, are looking for some Black Nixons. Reporters and the media are basically sloppy in reporting the news. Most newsmen and women are looking for stories that will result in awards or Pulitzer prizes or a Woodward/Bernstein reputation and therefore objective, praiseworthy stories do not provide much incentive. They are basically uncomfortable with objective news about Blacks and prefer the sensational.
>
> There is the government that exists as we know it in politics. Then there is the government that is reported through the media. And the two are not the same. So the public has a different perception about the role of politicians than the actual role that we perform.
>
> Basically, the white media do not understand the Black perspective. They certainly don't understand the nature of Black politics. And Black politics is basically different from white politics, because white politics is basically conventional politics, is basically moderate politics. Black politics, by its very nature, by the very nature of the Black problem in America, has to be a radical sort of politics.
>
> The white media are suffering from a post-Watergate, McCarthy type of hysteria. They are looking for crooks, and when they can't find any, they invent some. There is, among the media, a sort of silent resentment about the rise of Black elected officials in the United States and they are basically uncomfortable with it. Alabama and George Wallace have made more progress with race relations than have the media.
>
> The media, is, in my judgment, the most racist institution in America...

Perhaps no Black elected official--former or present--has analyzed the media as exhaustively as Carl Stokes--who is now affiliated with WNBC-TV in New York City. Excerpts from his book, Promises of Power, dealing with his years as Mayor of Cleveland, read as follows:

> In 1967, after I had been elected mayor, my press

secretary Richard Murway said to me, "Newspaper men are cynical, skeptical, but they are less prejudiced than the average white Clevelander. They are going to show their lack of prejudice by covering you and your administration the same way they covered your predecessors." I remember telling him, "They shouldn't do that." The newspapers and their reporters were part of the problem. They had no understanding of how I, as a black man, had gotten elected. They had no understanding of the things I must do as a black man in power. Most of them lived in the suburbs and internally were no more free of racial prejudice and hostility toward the central city than any other white suburbanite. Neither paper had had black reporters covering beats other than police court. Blacks in the television and radio stations were almost nonexistent prior to my election. No black person was anywhere in the policy-making, supervisory or editorial level of either paper. They had no capacity or experience with which to deal on a peer level with a black mayor. Most newspapermen are incapable of believing that they are something less than perfectly fair. They are so thin-skinned that they will not allow criticism from anyone outside their own ranks. At the slightest suggestion that they are biased, they start shouting that you are challenging their cherished right of freedom of the press...

Newspapers tend to think of themselves as special. They think they are different from and better than other institutions. They're not. They can be as internally corrupt as any police force. As in any other institution, the operation can fall into the hands of persons who know how to grab and hold. If those persons lack a certain understanding of life outside the newsroom, if they are bigoted or just dumb, then it will be reflected in the newspaper, just as control of a police department by brutal, insensitive and bigoted minds results in a certain kind of police department. The individual reporter can be just as undisciplined and corrupt as the individual cop on the beat. Each has been known to take a bribe and give a knee in the groin. Although I, as an elected official, was often unable to make a specific police chief or a particular policeman perform properly, Tom Vail or Tom Boardman could make individual reporters or managing editors perform according to their policy. The men at the top can fire reporters, provided they can out-maneuver the Newspaper Guild. Unless the reporter is willing to cooperate, they cannot tell him what to write and how to write it. But they can certainly determine whether what the reporter writes will be printed or not...

The federal government at least recognized that there is something wrong when the firm that owns the newspaper also owns the television station. The law recognizes that the airways are public and must be protected from abuse by the special interests. Why should newspapers be exempt? Many newspapers have what amounts to a monopoly as shapers of opinion. Wouldn't it be reasonable to demand of these opinion-makers that the public know what special interest they have a stake in? In 1970 I introduced legislation that would have forced public disclosure of financial interests not only of elected officials such as myself and councilmen, but also of newspaper reporters, executives and editors. You can guess the response of the newspapers. The level of scorn and abuse in the editorial columns reached new highs. They reduced the proposal to an absurdity. But what is absurd about it? Doesn't the public have the right to know, for instance, when it is reading an article in the Plain Dealer about some action of the Cleveland Trust Company that the Plain Dealer is up to its neck in financial ties to that bank? Newspapers hold a public trust because they influence the course of government. Public trusts should be accountable to the public.

The power of a newspaper is not only awesome, it puts itself beyond criticism. Every day in Cleveland, the daily newspapers go into the hands of three quarters of a million people at the very least. The reporters who covered, say, City Hall, sold their point of view, their stance toward Carl Stokes, to hundreds of thousands of people. But when I stood up to criticize something said about me in the newspaper, or criticized the reporter publicly for making wrong-headed criticism of me, I faced an immediate and unbridled rebuttal, written by that same reporter, maybe on the editorial page. He had access to weapons. I had only my own news conference, still at the mercy of how it would be reported. You can't fight a power like that. That is, you can, but one hand is tied behind your back.

Reporters know the awesome power that is in their hands. And they know, too, that they are practically immune from effective response on the part of persons they aggrieve. I think this is a

> dangerous condition for a society to be in. Of course, it would be more dangerous not to have newspapers, and there is the dilemma. I don't have a ready solution to the problem; I only know it is always wrong in a free society for any one institution to be totally free of control...
>
> We have allowed two traditional institutions, both intended as our protectors, to develop forms of social and thought control that would have terrified the men who wrote the Constitution...
>
> Newspapers enjoy an exclusivity of protection and privilege comparable only to that enjoyed by the police...The news media are... more than a random collection of individuals. They are a business institution operated to make money from people who have money. They are a white institution that reflects white racism in its employment and operational functions. Equally important, their responses, their social values, their world outlook coincides with their class position in the economic structure of this society. Their influence is pervasive and they are aware of it. They are often giddy and reckless in wielding their power because they are free from counter institutional assault. It is not so much that they rally to opposition, but that they confuse and neutralize potential allies. To that extent the news media are a constant abrasive. It was only natural that they would attack a black mayor attempting reforms.
>
> The point of saying that the pen is mightier than the sword is not that the sword is a less efficient solution to human conflicts but that the pen is in fact a sword. It cuts and it can kill. Several of the writers who covered my administration indulged themselves in a form of steady, slow assassination. The newspapers are protected by our most cherished social contract, the Constitution. They have virtually no limitations. The men who wrote the Constitution never intended that newspapers would develop into such ultra-powerful institutions. And as more and more cities find themselves with only one newspaper, or perhaps two newspapers owned by the same man who also sometimes owns a radio and/or television station, they find themselves in fact under a form of shadow government, an unelected, unaccountable rule.[7]

The collective concerns expressed by these officials, and by the many others cited in this report, surely make a case for careful, critical scrutiny of the media.

Such a scrutiny was attempted, nearly ten years ago, by the National Advisory Commission on Civil Disorders, and it is perhaps appropriate to once again reflect briefly on what that Commission had to say:

> Most important, we believe that the media have thus far failed to report adequately on the causes and consequences of civil disorders and the underlying problems of race relations.
>
> ...By and large, news organizations have failed to communicate to both their black and white audiences a sense of the problems America faces and the sources of potential solutions. The media report and write from the standpoint of a white man's world. The ills of the ghetto, the difficulties of life there, the Negro's burning sense of grievance, are seldom conveyed. Slights and indignities are part of the Negro's daily life, and many of them come from what he now calls "the white press"--a press that repeatedly, if unconsciously, reflects the biases, the paternalism, the indifference of white America. This may be understandable, but it is not excusable in an institution that has the mission to inform and educate the whole of our society...
>
> ...(What is needed is) increasing communication across racial lines to destroy stereotypes, to halt polarization, to end distrust and hostility, and to create common grounds for efforts toward common goals of public order and social justice.[8]

Today, it would have to be said that the media have failed to recognize Black politics as a "source of potential solution"; that the media ignore the fact that Black officials represent the problem-ridden ghettos of the Sixties; that the media, rather than "increasing communication" to achieve goals of "public order and social justice," exacerbate tension and hostility.

To be sure, there have been changes in the mass media since the Kerner Commission Report was issued. Television programing has improved somewhat, and at least token steps have been taken toward improving affirmative action profiles. But the changes have been woefully inadequate.

A study by the Citizens Communication Center of 1976 employment data indicates that of 185 public television stations and 172 public radio stations receiving funding from the Corporation for Public Broadcasting that were included in their review, 78 percent and 83 percent, respectively, fail to comply with EEO and anti-discrimination laws and policies.[9]

Where Blacks are employed by the white media, their roles generally are greatly restricted, and rarely extend to policy-making levels, or allow for expression of a Black perspective. Charles King, former staff member of the Kerner Commission, and now Director of the Atlanta Urban Crisis Center, recently appraised the situation in this manner:

> The white media does not utilize blacks who can and should editorialize from a black perspective. The (Atlanta) Constitution, as do other white journals, only trusts its editorial page to national blacks, nationally recognized black leaders, who write on a national perspective as it applies to blacks...nationally. Few white dailies trust local blacks to editorialize locally, as it applies to the locality where blacks live. When they do employ or utilize a black reporter to editorialize on the local scene, he or she winds up writing white. As a result of this lack of local black perspective and opinion, white writers, columnists and fledgling journalists occupy the complete stage of shaping public opinion. Those opinions, of course, by the very nature of the white editorial back drop, become racist.
>
> Few, if any, white reporters are sensitive to the black condition. Objectivity is claimed by them to be the source of their skills, but how can objectivity be assured when one half of the city and its people are unknown, unfelt, or misunderstood? How can one write objectively about discrimination, hunger, unemployment, prejudice, slums, rats, roaches, and reefers? Such sights and consequent protestations harden such reporters who refuse to report beyond the stench to attack the racist institutions which created the ghetto (and) maintain the ghetto, and the majority of whites who, by their ignorance and silence, condone the ghetto.[10]

In retrospect--considering the still massive deficiencies of the mass media in spite of the improvements that have been made--the media were treated quite gingerly by the Kerner Commission. The magnitude of their power, influence and responsibility was greatly understated. Their role was not addressed with the same sense of urgency as were other problem areas.

A book entitled The Media and The Cities that grew out of the proceedings of a conference held by the University of Chicago Center for Policy Study following release of the Kerner Commission report records this reaction from one of the participants, Edwin Guthman, of the Los Angeles Times:

> The Commission said that while it found much to criticize about the news media, these criticisms, "important as they are, do not lead us to conclude that the media are a cause of riots, anymore than they are the cause of other phenomena" which are reported.
>
> It is to the Commission's credit that it did not give comfort to those who deceive themselves by blaming riots on conspiracies, outside agitators, the news media, or anything else, except conditions in their own backyards and the plight of Negroes generally.[11]

The verdict in the matter of harassment of Black elected officials is quite different. The media are not "simply reporting what is there." They are directly implicated. They are every bit as much actor as observer. It is hypothesized that if Black leaders are eliminated, and tension therefore mounts in the ghettos of America, and there comes another period of riot and civil disorder, it will be no deception to blame the media; they will be responsible for the consequences of their agitation, for their part in conspiracy.

Martin Hayden, of the Detroit News, observed at the same conference:

> One may speculate whether the concession (by the Kerner Commission) that the media tried to be good was a bow to the probability that a direct attack on them would have provoked a press counteraction damaging to the whole public presentation of the Commission's conclusions.[12]

Any criticism of the media, it seems, entails the risk of incurring a press counteraction damaging to public presentation of conclusions. This report is itself undoubtedly not immune--particularly since the criticism extends to the very structure of the mass media and its characteristic of being a racist corporate entity. These issues, too, were raised at the Chicago Conference, through the voice of Lerone Bennett, Jr.:

> ...The reality we are living is divided in two--white and black. So-called general media are white and are servants of white reality. They stand in an adversary relationship with the Black community. They find themselves in the difficult position of reporting a court case to which they are parties. And until white-oriented media resolve the contradictions of their existence, it will not be meaningful or useful to talk about the technical problems...

...The problem is structural, not technical. Stated bluntly, the problem is that the men who control media have not yet decided that they want to pay the price of democracy. Until that decision is made, it is useless to waste time talking about the implementation of the decision.

...The Kerner Commission very properly suggested the hiring of additional black reporters. White editors and reporters should also read Negro-oriented publications on both the national and local levels. But beyond all that, there is a need for white-oriented media to integrate their vision, their control, and their management. In other words, we face the need, not for just a new reporter here, or a new story there, but for fundamental change in the spirit permeating white-oriented media. We face the need for white-oriented media to transcend the limitations of whiteness...

A new vision would integrate reporting and interpretation...A new vision would come to grips with white racism and with the institutions--political, economic, and religious institutions--which perpetuate racism in this society...It is time now to take on the institutional roots of racism--and the institutional roots are in the white community...The race problem in America is a white problem, not a black problem...And the problem will not be solved until media ask themselves some dangerous questions about the values of ordinary whites and the interests of powerful white institutions...

I believe media can communicate the depth of this problem. American mass media can sell almost anything. We can sell detergent, but we cannot sell the Declaration of Independence. Is it possible that we believe in the detergent and do not believe in the Declaration of Independence?...

...There has never been a total effort on the part of the cultural apparatus to teach Americans to live together. I believe the exigencies of the hour make it necessary for media to embark on such a crusade...To deal with this problem, we must dig down to our sacred mythologies, including the mythologies which wall off the private and public sectors from each other.

As a result of decades of miseducation by all media, including the press, white Americans have completely

> unrealistic ideas about the private and public sectors. And it will not be possible to solve this problem until the media which have miseducated Americans, assume responsibility for educating Americans on public investments and social developments.[13]

That analysis is surely as valid in 1977 as it was in 1968. The media response to such analyses is likewise as cryptic and emphatic today as it was yesterday. The response is simply: "First Amendment privileges"--a response that effectively camouflages the media's power, corruption and complicity in the assault on Black politics. It becomes truly a bewilderment how the media can so piously invoke the First Amendment guarantee of freedom of the press while simultaneously crippling the struggle for freedom waged by elected representatives of an historically disenfranchised people. Ironically, in their biased coverage of Black officials, the media themselves do damage to their own positions, as was pointed out by Congresswoman Yvonne Burke in remarks presented to the 19th Annual Convention of the Southern Christian Leadership Conference:

> A glance at the record of legislation presented by members of the (Congressional Black) Caucus reveals that these law makers have a wide variety of interests. Their proposals have ranged from the prevention of further military aid to Greece to a resolution to authorize the sale of U. S. gold. Although the mass media present the members of the Caucus as being locked into welfare and poverty-related legislation, this is not the case. For example, one area in which there is universal support is freedom of the press. Members of the Congressional Black Caucus are extremely sensitive to the connection between the diminution of rights of the press and the corresponding rights of the "out" groups in America. But this viewpoint is not reported widely because freedom of the press is not seen by the media as a "black issue."[14]

Indeed, Black officials are only more vulnerable to criticism and attack if they presume to address issues that white society has not defined as being within their purview. What does that say about freedom of speech? One is led to question whether the First Amendment "belongs" only to the white press. One is drawn to conclude that the notion of a free press is in many respects a myth. If there is any freedom of the press, it would seem to abide almost exclusively with syndicated columnists who do constitute a forum for free expression of thought. But the characteristic of freedom as presumably connoted by the writers of the First Amendment cannot accurately be offered as descriptive of news reporting generally.

How free is a "free press" that does not seek complete information from Black officials who are falsely accused; that selectively utilizes information passed to it by covert intelligence operations; that caters to the prejudices of the white middle class; that protects the economic interests of white businesses; that ignores or represses the thoughts, feelings and objectives of a major and vital segment of the total citizenry?

More challenging even than that question is the question of what can be done about it. Nat Hentoff has cogently phrased the question this way: "Are there any defenses against a free, irresponsible press?" Observes Mr. Hentoff, "The press--aside from its own fiercely valued First Amendment rights--doesn't give much more of a damn about the rest of the Bill of Rights than any other segment of the citizenry. Accordingly, I have no more faith in voluntary self-restraint by the press than I have in any similar exercises by the FBI. Power enjoyed is power seldom willingly diminished. Power enjoyed, moreover, leads to an appetite for more power."[15]

Simply acknowledging their power would be a wholesome start for the media. Columnist Georgia Anne Geyer touched on this issue in reflecting on the outcome of the Fifth Military-Media Conference held to examine relations between the two entities. "It was suggested," she reported, "that, just as military men might start to perceive themselves more as 'public servants working in the public trust rather than simply military commanders,' journalists ought to consider that they are now not simply observers, but part of the power structure of the country."[16]

Perhaps at no time in history was the power of the media more enjoyed by the media than during the Watergate revelations. And as Hentoff so aptly characterized the syndrome, the appetite whetted by Watergate is perniciously satisfied by the devouring of Black elected officials.

Black officials, of course, are not the only persons who have been chewed on by the media. Curiously, some of those incidents seem to give rise to indigestion. Editorialized the Los Angeles Times,

> The Attorney General (Edward Levi) said it was most damaging "to the quality of government service" for the media to "equate actions done with honest intent with those which are mendacious and mean." The media's behavior, Levi continued, "can only in the end protect the venal by disparaging the decent."

Conceded the Times in the next paragraph:

> Perhaps the story was given too big a play in some

> papers. The media has been guilty of that more than once in its post-Watergate zeal to expose misdeeds in high places...[17]

That entire exchange was in reference to complaints that had been lodged against Clarence Kelley, Director of the FBI. No such defense, no such apologetic concession has been extended on behalf of Congressman Bill Clay or any other Black elected official by the Department of Justice or by the white media.

In marked contrast, though, is this editorial comment from the Black-owned and operated Sun Reporter, directed at the Los Angeles Times for its "vendetta" against Lt. Governor Dymally:

> The sordid Watergate saga of recent history has added a new and generally healthy dimension to the political scene: extensive press scrutiny of the details of governmental conduct and its overlapping relationships with the business community. This renewed interest of the Fourth Estate in investigating political corruption has a great potential for maintaining honest and responsive government in America. Already, the Watergate scandal, uncovered at great trial and expense by the media, has relieved us of an insane tyrant in the White House and led to important reforms in the campaing and election process.
>
> But like any other function in a free society, the integrity of the press can only be maintained by a vigilant public, ready and willing to look behind the headlines and the printed page and examine the larger context of the news that is reported. It would be a simple matter for a newspaper to abuse the current willingness of the public to believe the worst about politicians and launch a smear campaign for motives of its own in the style of the Watergate coverage.
>
> ...While we reiterate that it is commendable for the press to examine the conduct of our elected officials closely and to report what they find, no matter what the possible consequences, the persistence of the Times in the face of a withdrawal by both the Attorney General and the State Senate amounts to a trial by press, which not only violates Dymally's rights, but threatens us all as members of a free society governed by laws and protected by the guarantee of due process.[18]

Such comments have typified the response of the Black press to attacks on Black officials. Indeed, the Black press has generally been the single avenue of defense for the officials. Dymally speaks for more than just himself when he recounts: "It got so bad that Black newspapers felt compelled to take on the L. A. Times, and the Times then backed off. The Black media in California saved me from extinction..."

As Roy Wilkins wrote nearly fifty years ago when he was the news editor of the Kansas City Call, "The Negro press was born of a need for voicing a protest against wrongs and proscriptions, first devoting itself to the task of making Negroes free men and citizens, and from that day to this fighting the battles necessary to securing for them the enjoyment of the rights of citizenship."[19]

The voice of the Black press, if these objectives are to be achieved, is no less needed today than fifty years ago. That there is such a need--that the perspective of the Black press differs so sharply from that of the white press--ought to contain a message for the white media. Within that message, if it could be heard, might be found a more authentic meaning of the First Amendment than the white media has to date been inclined to avow.

Aside from those coming from the Black press, institutional challenges to media harassment have been few indeed. Of significance, however, is the hint of a pattern of white businesses in some communities applying pressure to local newspapers to back off from the attacks when they become so outrageous as to begin to effect the business climate. Once again, it appears that vested interests prevail. Regrettably, too few businesses are able to see that their support and condoning of harassment through advertising in such papers does, in the final analysis, do injury not only to their profits, but to the health of the entire community.

Periodically, public debate flourishes on how the media might be supervised--on whether guidelines can and should be formulated to direct in some manner the coverage of events by newspapers and television. The dialogues persistently result in an impasse. Apathy reasserts itself; the media continues to be irresponsible in its freedom.

There are, though, those rare citizens who steadfastly express their opinions in letters to the editor. One such letter eloquently places in perspective the perplexity represented by the mass media:

> In blaming the ever-increasing disrespect for the law on the abuses of our Washington political hierarchy, the media should shed their badly frayed mantle of self-righteousness and take a long, objective look into their own inglorious role in

> helping to thwart the ends of justice and in their frequent, calculated defiance of the courts and the laws of our land.
>
> Any person, from the president of the United States to the most insignificant reporter, who willfully and knowingly becomes an accessory to crime, either by misprision or otherwise, is entitled to no more consideration than any other common criminal. That much-abused and sadly distorted First Amendment was never intended to elevate the news media to a place at the right hand of God, nor was it ever intended as a shield for common criminals.
>
> There is far less to fear from the tyranny of government than from the increasing tyranny of the media. Government can be controlled, but if we accept the media's interpretation of the First Amendment, at what point and in what manner do we wrest control of our legal, constitutional processes away from a tyrannical media?[20]

It is precisely that question that accounts for a more lengthy discussion in this report of the mass media than of any of the other forms and sources of harassment. That is not to diminish the significance of any of the other tactics of harassment, but to say that the media serves as a magnifying glass, enlarging many times over the extent of the damage done by other means of assault. It is the widespread--sometimes careless, sometimes deliberate--publicity by the media that destroys the credibility and effectiveness of Black elected officials who would seek freedom for themselves and for all whom they represent.

That freedom--as do all freedoms--depends on the people having the truth. The people depend on the press to obtain the truth. The press has only one job--only one responsibility: To tell the truth to the people. What else is the First Amendment but the embodiment of the Biblical rejoinder: "You shall know the truth...And the truth shall set you free." To the extent that the pen writes falsehoods, it is a tool of imprisonment. To the extent that the press tells untruths, it enslaves us all.

Law Enforcement

The very nature of a democratic society implies impartiality in law enforcement. Yet, testimony from Black officials overwhelmingly points to a highly selective application of the law, and misuse of the law by the enforcers of the law. Local police, District Attorneys, Grand Juries, offices of

State Attorney Generals, and even the U. S. Department of Justice have all been involved in the harassment of leaders in the Black political movement. To be sure, elected officials and aspirants to public office have always been vulnerable to attack by their opponents, but not typically to harassment in the degree or in the form that has characterized the attacks on Black elected officials.

An examination of the evidence gathered for this report reveals these patterns of activity:

--Sheer harassment of a nuisance nature, or outright, vicious attacks against Black officials or their family members by local police or sheriffs departments. For example, traffic violations may be cited more strenuously than is normally the case. Or charges may be brought against a close associate or a member of the official's family--most likely during a campaign for re-election--which then receive widespread media coverage and serve to discredit the official.

--Complicity of local police with State and Federal agencies in wire tapping or other illicit forms of surveillance. A number of police departments in recent years established special squads to maintain dossiers on targeted individuals --among them, Black elected officials. (This type of intelligence activity is discussed further in the next section.)

--Investigations by all levels of law enforcement, including State Attorney Generals, often based on spurious charges inspired by the media, but which give rise to damaging rumors, and which constitute an unwarranted imposition on the time and energy not only of the official, but of relatives, colleagues and professional associates as well.

--Scrutiny by Federal Crime Strike Forces to cultivate an atmosphere of suspicion, spawn local investigations, or compile sufficient evidence for Federal indictments. (Discussed further under "Internal Revenue Service.")

--Convening of Grand Juries for the express purpose of attempting to uncover evidence of some kind of wrong-doing, or to discredit an official through the sparking of rumors or disparaging of associates. Black officials appear to have become ensnared in what Tom Wicker has described as "a lengthening pattern of blatant government use of grand juries for inquisatorial rather than accusatory purposes." The reports from Black officials lend further credence to an observation attributed to the late Senator Philip Hart, that Grand Juries are commonly used "to conduct political surveillances and build dossiers in the guise of investigating specific offenses."[21] That Grand Juries are, in fact, put to such purposes is further argued in that they are then dismissed once the official in question leaves office, with resulting charges often being dismissed.

--Indictments issued by local or Federal Grand Juries which are then very often overturned in the trials that follow, but which nevertheless yield damaging consequences--financial, political and social.

--Convictions by lower--and usually more racist--courts, which are then reversed on appeal but which also result in unwarranted defamation of character.

--Sharing of illegally compiled information with other enforcement agencies, such as the Internal Revenue Service, which then leads to further harassment.

The motives for these attacks vary. Sometimes they appear to be the result of patently racist attitudes of predominantly white police forces toward newly elected Black officials. Other times they seem rooted in the desire for reprisal against Black officials who have called for investigations of alleged police brutality against minority citizens, or who stress protection of people over property. More often, though, they appear to be triggered by threats to entrenched forms of power posed by Black officials who bring into office a new agenda of priorities. Unfortunately, these power centers--the media and particularly the business community--often hold an inordinate degree of control over the investigative arms of law enforcement and do not hesitate to manipulate them for their own ends.

The role of the police department in harassment of Black officials--including of their superiors, as in the case of Black Mayors--is more alarming in consideration of the buildup of arsenals of weapons in recent years. Power centers that can control police departments in directing verbal or investigatory harassment can presumably direct, as well, the use of the weapons. Carl Stokes, in his frustration at the inability to restructure the Cleveland Police Department, was prompted to warn that, "We need some sort of civilian control that is not subject to the routine pressures of politics...The need is desperate. This country cannot afford the growth of an indigenous paramilitary privileged class getting ready for war."[22]

The mechanics for such manipulation--not only by power centers, but by any citizen--are built into the "justice" system. As Lt. Governor Dymally has observed, "If someone files a complaint, the district attorney has an obligation to investigate. So you can really compromise someone's integrity by simply filing against them." The results of this misuse or misapplication of authority can be disastrous, particularly in a profession involving public service. "In politics, all you have to do is file a charge," continues Dymally. "You don't have to prove it, because in America today, the burden of proof is on the innocent, not on the accuser."

211

Responding to, or feeding, inflammatory charges brought by the media--or by a disgruntled opponent or power center with easy access to the media--these investigations yield their predictable, and intended, result. The verdicts are predetermined by page-one headlines in the newspapers. But when justice has finally prevailed and the innocence of a Black official has been vindicated in the courts or by dismissal of unfounded charges, the outcome is relegated to the back pages. By that time, as much as a year or two may have elapsed; the public sentiment has been swayed and the damage has been done.

The interplay of media and law enforcement is epitomized in the practices of the highest law enforcement agency in the country, the U. S. Department of Justice. As Bill Clay puts it, "What has happened is that the Federal Justice Department has become a tool...and their agents have become the private detectives of the local news media. And in the process, the Justice Department has aided and abetted in destroying the names and characters of Black elected officials."

Attorney General Griffin Bell has been quoted as saying he does not condone leaking of confidential information about investigations, Grand Jury activities and indictments, but that Department officials who do so should at least "be accurate." The fact is the information is often not accurate. One surmises that it is in some cases fabricated, hypothetical information.

The implications of these patterns of law enforcement go far beyond their obvious threat to, or denial of, the rights of Black officials. When agencies of justice are so easily subverted to the will of those who hold power at the moment, there is no assurance that any segment of the population will remain immune to capricious activity of a similar nature.

Intelligence Community

One common thread running through much of the material gathered for this study is the pervasive use of intelligence activities against Black elected leadership. For many now in office, this form of harassment extends back into the early days of the Civil Rights Movement.

Because of the covert nature of such activities, documentation has been difficult. Nevertheless, through the confessions of ex-informers, access to files granted under the Freedom of Information Act, various court actions, and legislative inquiries, proof of surveillance against Black politicians has been verified time and again. In some instances, proof of bugging, wire-tapping, home and office burglaries, and photographing of files has been obtained as well. And the evidence is all too clear that the media is often the benefactor of such information-gathering, working hand-in-hand with intelligence sources to compile news stories that are rife with innuendos, untruths, and unproven allegations.

No segment of the intelligence community can claim innocence. Local police units like Chicago's infamous "Red Squad" have included the activities of Black leadership from all walks of life in their clandestine purview. As a result of recent lawsuits brought against the Chicago Police Department, files reportedly dating back to the 1920's and including more than 100,000 names of individuals and organizations--many of them Black--have been made public.[23]

The extent of illegal surveillance at the State level is unknown, but it is not unlikely that units similar to the "Alabama Peace Commission" have been in operation for years in other States. In this case, the U. S. District Court of Montgomery issued a ruling ordering the Peace Commission to cease its operations following a lawsuit brought by the Civil Liberties Union of Alabama. Some of the Commission's activities were highlighted in an article that appeared in the Birmingham News:

> The Alabama Peace Commission, an agency formed by the State Legislature in 1963, maintained secret files on several state organizations, spied on the private lives of Alabama citizens and possibly became involved in political campaigns before it was ordered out of business in April of this year (1976) according to sworn statements from employees of the Commission.
>
> The statements, depositions obtained in a recent suit against the agency, show the commission received or gave information to various federal agencies including the CIA, FBI and the U. S. Military Intelligence. It reported some of its activities to the Alabama Legislature and Governor George C. Wallace...The commission was established ...to "study, investigate, analyze and interrogate persons, groups and organizations engaged in activities of an unlawful nature against the sovereignty of the State of Alabama, and which may be detrimental to the peace and dignity of the State of Alabama..."
>
> "The evidence in this case," said (Judge) Johnson, "reflects that the commission has continued surveillance of selected groups and individuals, principally those the commission identified with racial

> minorities or with liberal or left-wing tendencies." The depositions reveal that contained in the file... were the names of several black elected officials ...(Emphasis added.)[24]

While local and State echelons of activity are disturbing enough, those at the Federal level are of alarming proportions. Most frequently mentioned in material gathered for this study are the FBI and the CIA, but such units of intelligence as the Defense Intelligence Agency, Army Intelligence, Air Force Counterintelligence, and the National Security Agency have all been complicit in surveillance activities against Black leadership.

> In July 1970...Nixon, his top White House aides and the heads of the CIA, the DIA and the NSA approved a secret domestic intelligence plan which called for illegal wire-tapping and illegal breaking-and-entering operations against "radical black organizations," "Arab saboteurs, or agents," and "campus revolutionaries." One White House official straightforwardly admitted that the plan was a response to "the black problem" which the administration viewed as "the most serious issue" in the nation.[25]

That the impediments to Black political power have not been restricted to challenges to the Voting Rights Act was amply documented by the Senate Intelligence Committee in their final report on harassment of social activists. Indeed, while the Department of Justice was on the one hand enforcing the Voting Rights Act, it was at the same time destroying organized efforts to further the cause of human rights and political power.

The findings of the Senate Intelligence Committee recount the FBI propaganda regarding Communist influence in the Civil Rights Movement; the surveillance in the 1950's of the NAACP and Urban League, and in the 1960's of activist groups including CORE, SCLC, SNCC, the Black Panthers, US, and the Nation of Islam; the SSS (Special Services Staff) established by the IRS, the IDIU (Interdivision of Information Unit) of the Justice Department, the KBE (Key Black Extremists) list maintained by the FBI; the cases of income tax audits, wire tapping, and "dirty tricks" designed to break up marriages, terminate project funding, lose employment, and generally split the Black community.[26]

Surveillance by the FBI is the most frequently mentioned of all such clandestine activities against Black officials. While the FBI's Counterintelligence Program (COINTELPRO)--(discussed further under "Black Disunity")--has allegedly been discontinued, the FBI's track record against outspoken Black leaders is now a matter of common knowledge, and more information continues to surface. Recently, Timothy Redfearn, an ex-informant of the Denver FBI, reported that he had been on the payroll of that agency from 1970 to 1976 and in that capacity had gathered information on a number of Colorado politicians and activists, including five Black elected officials.

A recent magazine article recounts FBI activities of a devastating nature against Black organizations and individuals in California carried out by ex-informant Darthard Perry, whose assignment included attempting to obtain damaging information on the only Black State Senator and one of the most influential Black State Assemblymembers.[27]

Is this kind of illegal activity now a thing of the past? In the post-J. Edgar Hoover, post-Watergate, post-Senate Intelligence Committee report era when such dirty tricks of the past have been given long overdue airing, can Black officials now rest easy in the assurance that they are, and will be, no longer under illicit surveillance?

Hardly. If we start with the premise that inteligence activity is a norm of present-day American life, we must assume that continued scrutiny of Blacks flows from and out of the usual order of business. Black leadership may or may not be the target simply because it is Black. More likely is the assumption that general surveillance and intelligence gathering will continue to focus on those who are change-oriented, who have access to information and who are in positions of power--both white as well as Black. But in this category, Blacks have traditionally been more closely watched, as they will likely be in the foreseeable future.

Being the target of intelligence activity has been a serious obstacle to Black politics up until now. Being deprived of intelligence information may be an even bigger obstacle of the future. If Blacks are to assume their proper role of leadership in the highest echelons of government and be a force for progressive change in this nation's policies toward Third World countries, they must have access to the most reliable information available from the intelligence community.

Up until now, however, they have not had such access. The affirmative action profiles of intelligence agencies are notoriously poor, and Blacks have been conspicuously absent from high-level governmental positions that are accompanied by access to the top classifications of secret information. Some of the reasons for this, and the implications, are discussed by Lt. Governor Dymally:

> The scope of the intelligence network in this country and throughout the world far exceeds our imagination. We are not a part of that network. If not overtly excluded, we are quite likely often excluded by virtue of the criteria used for granting access to high level intelligence information. One can assume, for example, that stability is a key criterion in deciding whether a person is considered a security risk. Stability includes things like marital and financial status. The rate of divorce of Black officials appears to be unusually high. And it costs money to be a politician. Most of us become poorer, not richer. And the poverty is aggravated when we are forced to retain attorneys and pay court costs to defend ourselves against false charges of corruption.
>
> I cannot overemphasize the consequences of being excluded from this intelligence network. The decisions that affect our lives are not made solely by visible politicians and officials. They are made in this invisible network. We hear rumors about what is going on... We never know what is actually taking place. Even if black politics succeeds to the extent of surviving the harassment from the media, if we do not succeed well enough to have access to vital information--we can go nowhere.
>
> We have been excluded from the system for so long, and so totally, that we don't even know what the system is. We cannot describe it or define it in its entirety. So we not only have the problem of staying in the system; we have yet to determine the parameters of the system. And we have to fight these two battles at the same time that we are trying to realize our objectives of achieving freedom...[28]

This "invisibility" of the intelligence community is sustained by the heretofore accepted practice of hidden budgeting for such agencies, which assures nonaccountability. Funds spent for intelligence work do not have specific Congressional approval and are not subject to auditing by the General Accounting Office. Nor have they in the past been given close supervision by the Office of Management and Budget. Control is therefore difficult for all law makers. Blacks, who for the most part have not had time to work up to committee chairpersons in the antiquated seniority system of Congress, seldom are in on top-level intelligence briefings enjoyed by a select few of their more conservative colleagues.

That the agencies themselves are not overly receptive to change is tacitly but emphatically stated by the marvelously ironic spectacle of FBI agents demonstrating in protest of the indictment of a retired FBI supervisor on charges of illegal wiretapping and mail-openings, and by the verbal defense of that supervisor offered by FBI Director Kelley.

Significantly, this indictment, growing out of investigations by the Civil Rights Division of the U. S. Department of Justice, includes two counts of conspiracy. There has been, at this writing, no conviction. It is something of an understatement to suggest that the outcome will be of more than passing interest to the practitioners of Black politics.

Internal Revenue Service

As the cases presented in this report indicate time and again, a commonly used means of intimidating Black public officials is the auditing of income tax returns. Some are subjected to civil audits year after year; others become the target of a criminal audit without ever having had a civil audit. A few are indicted. Rarely are they convicted. But the tremendous amounts of time lost in proving innocence and the amount of money expended in attorney fees take their toll. The business of the IRS extends far beyond tax matters, however. It is a vital, central element in the law enforcement and intelligence networks, as was amply documented by the Watergate and Senate Intelligence Committee hearings.

The use of such tactics to harass persons with views unpopular to those in political power is nothing new. During the McCarthy era of the 1950's, alleged Communist Party members were so investigated,and in the late 1960's organizations such as the Student Nonviolent Coordinating Committee and the Black Panthers provided impetus for the formation of the Special Services Staff (SSS). This unit of the IRS was created in 1969 with the willing help of Senator John McClellan's Committee on Governmental Operations, Subcommittee on Investigations, and placed under the jurisdiction of Nixon aide Tom Huston for the express purpose of gathering information on "ideological" groups. During the same year, the IRS created the Information Gathering and Retrieval Service (IGRS) to seek and store data for "potential" criminal cases.

Small wonder, then, that when the list of Nixon's secret enemies--which contained its share of names of Black politicians--was drawn up in 1972, the IRS tax audit was seen as a fully-tested and reliable weapon to control troublesome opponents of those in power. Although the SSS was allegedly disbanded in 1973 as a result of intense criticism of its operations, intelligence activities by the IRS against Black officials and civil rights leaders have continued.

The abuses by the IRS, particularly toward Black officials and civil rights activists in the South, have been thoroughly scrutinized by Jason Berry, free lance writer and former press secretary to Charles Evers. Berry has charged that:

> ...In Mississippi, Tennessee, Georgia and Alabama, the IRS functions, in effect, as an arm of political systems which are trying by economic means to keep blacks out of power.
>
> The basic problem lies in the collusion between the collection and intelligence activities of the IRS, and it is hauntingly illustrated in the South. Civil Rights activists were lumped with mobsters and racketeers, traditional IRS foes... The intelligence technology developed in Washington --wiretap techniques and police surveillance tactics--came together with the long-standing union of politics and policy in the South: political reformers were made into enemies of the system.
>
> ...By late 1972, when blacks were getting elected to political offices across the South, the IRS Southern strategy had spread across the country.
>
> The SSS was requesting taxpayers' returns from regional offices everywhere. At least fifteen Washington agencies, including the Justice Department, FBI and CIA, were making use of IRS records.[29]

That the IRS has not acted alone in its investigative efforts was alleged in a suit filed in March 1975 by the New York Civil Liberties Union. This suit charged that the IRS, the Internal Security Division of the Department of Justice, the FBI, the Army Intelligence Office and the Air Force Counterintelligence Division, in what constituted a conspiracy, "collected, maintained and disseminated information concerning the political beliefs and activities of plaintiffs and the classes they represent, which information has been and continues to be used to initiate special tax investigations and enforcement procedures against the subject individuals and organizations."[30] The suit sought to obtain a permanent injunction enjoining the defendants from transmitting information to the IRS regarding political beliefs, activities and associations; from collecting such information; and from initiating or conducting special tax investigation or enforcement procedures against individuals or organizations because of the nature of their political beliefs or activities. While impetus for this legal action arose from harassment of anti-war activists, it holds obvious significance for Black officials being harassed in a manner similar to that experienced by the plaintiffs in the litigation.

The extent of the entrenchment of the IRS in the intelligence business is measurable in part by the resistance to attempted reforms of the past two years.

> The (former) Commissioner's (Donald Alexander) reforms have angered many career investigative agents and even drawn criticism from the Justice Department. Early last year (1976), Attorney General Levi, annoyed by Alexander's recall of tax men from organized crime strike forces, said that an "absurd situation" had developed, crippling the effectiveness of this police work. Strike forces have received favorable news coverage (emphasis added) because they are out to catch criminals, but the means they use to catch them also deserve scrutiny.
>
> A former Justice Department attorney who worked on a strike force explains how crucial IRS agents are to these teams. "On each force (before Alexander pulled his people out), we had an IRS intelligence agent, who served as an accountant. After the cutbacks, the strike forces had to get IRS men from district offices, regular street agents working extra duty. IRS district directors had their own projects and weren't interested in ours."
>
> In addition to IRS agents, a strike force brings together FBI agents and Justice Department lawyers and investigators; it then moves on individuals suspected of criminal activities, and tries to build a case. According to a prominent Southern criminal attorney, who worked in the Justice Department for several years, "The problem with the strike forces is that they're too often fishing expeditions. They go see what, if any, crimes the suspects may have committed. For one thing, many of the cases built that way don't stand up in court."[31]

Also elaborating on the entanglement of purposes and agencies is Louise Brown, staff member of the Tax Reform Research Group.

> (Some) 2700 "special"--that is, intelligence--agents attached to the agency's national and field offices...seek out violations among willful law breakers, including those engaged in "subversive activities," organized crime, and political

> corruption. The IRS intelligence efforts supplement those of other law enforcement agencies, and are not necessarily directly tax-related.
>
> The Federal Bureau of Investigation, the Drug Enforcement Administration, the Customs Bureau, and other agencies welcome IRS assistance for three reasons: First, the IRS provides them with a unique reservoir of data supplied to it voluntarily for tax purposes. Second, it has powers greater than any other Government agency to examine taxpayer's books and records, as well as documents held by third parties, without a search warrant. Third, the IRS can take property by levy or seizure without a court order.
>
> Urged on by Congress and the Executive, the IRS intelligence division has become a tool for general criminal law enforcement...[32]

Spurred by public questioning of their practices, particularly the use of the IGRS system, the IRS conducted an in-house investigation and in mid-1975 issued a report confirming the truth of some of the charges. Writes Ms. Brown:

> Among other things, the IRS report showed that agents entered the names of individuals and groups not suspected of tax violations into the computers; that they indexed references to raw, unsubstantiated, and non-tax-related data; and that other Government agencies had access to the information...
>
> As to the type of data collected, the report confirmed that IGRS indexes in (at least one of the) district(s) held references to the sex and drinking habits of local political figures...
>
> The IRS memos show that other types of data indexed in the computers included FBI and local police reports, tax returns, memos of conversations, mail-watch reports, work permits, applications for telephone service, telephone toll call records, credit reports, license plate checks, and property tax transfer records.[33]

While some of the harassing tactics of the IRS have been exposed, and some reforms instituted, the matter is not yet completely resolved. Congressman Rangel, in 1976, attempted to determine the meaning of a pattern involving twenty-seven civil rights activists in Mississippi who were audited during the two years following the celebrated and unsuccessful IRS criminal investigation of Charles Evers. Rangel was unable to obtain satisfactory responses from the IRS and that project has been taken over now by the investigatory arm of Congress, the General Accounting Office.

It is not known just how many names of civil rights workers or Black elected officials were compiled in the IGRS files. Nor is it known how that data is now being used. Two names known to have been included are Congressman Augustus Hawkins and Mayor Tom Bradley. Further, it is not known how many of the dozens of Black officials--Mayors, council members, State Legislators, and U. S. Representatives--audited from 1970 to 1976 were explicit targets of the SSS or other intelligence operations. It hardly seems reasonable to assume that none of them were. And it is abundantly clear that the motivation was not just to obtain their money, but perhaps to cost them defense expenses and almost certainly to discredit their reputations and even remove them from office. A series of hearing on the audit process scheduled for this year by the Ways and Means Oversight Subcommittee may shed some light on these issues.

The IRS has steadfastly maintained that returns are selected for audit in accordance with one of two processes. The DIF (differential function) is a secret computerized formula known only by a few people in IRS which identifies returns for potential audit based on the total of weighted criteria. TCMP is the second procedure for audit selection. It is presumably a random process, and results in a more in-depth audit than the DIF. The purpose of this procedure is to identify those criteria that are to be included in the DIF formula.

Reportedly, some 20 percent of those returns selected by the DIF are determined not to be in need of audit, and only half of the remaining 80 percent are in fact audited. Which of those selected by the formula are marked for audit is determined by human judgment, which introduces one area of possibility for discriminatory treatment based on race or profession or political affiliation. A second possible source of discrimination lies in the criteria included in the formula in the first place. One criterion, for example, is "Code 35--political activity," which supposedly relates to political contributions itemized on the return. These are the kinds of questions warranting further investigation.

But as Jason Berry has observed, the problems are not only of a technical nature; they are structural and attitudinal as well. He sums up the situation this way:

> The disturbing internal developments of the IRS in recent years are less the results of Watergate activities than of a larger breakdown of the bureaucratic process. With 88,000 national employees, most of them in regional and district offices across the country, the IRS is a huge

> federal agency which must be administered with great care. Government agencies are patterned after corporations, function like them, and too often serve the interests of American firms, at home and abroad. The Tax Reform Act of 1976 is a beginning toward needed reform, but it cannot of itself alter the attitude that has pervaded the IRS, and the intelligence agencies, during the growth years of surveillance politics.[34]

Corporate Structure

Signs like "WARNING--BURIED CABLE" remind us that some form of power or communication is flowing quietly beneath the surface of the earth and that each day--scores of times--we may be just as close to, but unaware of, other linkages that are crucial elements of a modern, technological society.

This could be an apt metaphor for considering the relation of corporations to the topic of this study. Overt manifestations of harassment of Black political leaders are disturbing enough, but offer real promise of change simply because we know they are there. It is the covert forms of power that should worry us more, for their scope and influence are so hard to identify, and therefore even harder to change. This is not cause for ignoring the power, however, nor for being overly cautious for fear of being branded as paranoid because we "see things that aren't there." They are there, even though we may have to dig to find them.

From the preceding discussions of the media, law enforcement, intelligence agencies and the IRS, one indisputable conclusion can be drawn: They have engaged in practices that constitute deliberate harassment of Black political leaders. Such practices are not accidental; they grow out of policies consciously formulated by these institutions.

But why? What is the reason a "free" press and agencies formed to represent a government "of the people" would fashion such policies as these? One conclusion is that the dominant influence on the media and on all levels of government is that of the business sector of this nation, particularly the corporate structures which have vast economic resources at their disposal--resources that can be translated into advertising revenues for newspapers and electronic media which are their very life blood; resources that can be translated into campaign contributions, favors, pay-offs and bribes; resources that can take the form of jobs at lucrative salaries for employees who wish to leave the government, but who before doing so make decisions favorable to their future employers. It is these resources that ultimately set the policies and practices which affect us in our daily lives.

And few, if any, really know the full extent to which they direct intelligence, government and media activities; are the moving force behind the filing of reverse discrimination lawsuits; or instigate through their influence motions for legislative censure, recall elections, or criminal investigation and indictments.

The role of the corporate structure in government was perhaps most extensively exposed in recent years through the debacle of Watergate, involving, as it did, millions of dollars of secret and illegal corporate contributions. It hardly seems coincidental that harassment of Black politicians, as well as of other social change groups, accelerated during the Nixon administration. That it was the media who broke the Watergate story ought not to camouflage the fact, as noted earlier, that the media is a part of the corporate structure, and that it evidences the same pattern of evolution toward monopoly as other major industries. Representative Udall points out, for example, that of 1500 cities with daily newspapers, 97.5 percent have no local daily newspaper competition. Furthermore, many of those who own several newspapers also hold the franchises to broadcase media.

Understandably, neither the media nor other industries are amenable to any diminishment in the increasing concentration of economic power. What is frightening is that they hold the power to prolong, if not totally preclude, any attempt to affect a breakup of the concentration. One sample of the reaction to such a suggestion has been depicted thusly:

> In early February...U. S. Congressmen gave oil moguls a collective cardiac with a new bill. Introduced by thirty-one members of the U. S. House of Representatives, the proposed legislation would break up all major oil companies that engage--as most do--in all phases of production, from exploration and extraction through processing, transportation, and marketing. These functions would have to be done by separate companies. Furthermore, the proposed law even would keep a company involved in one form of energy, such as coal or oil, from developing another, like shale or geothermal energy.[35]

That such legislation is even being introduced is hopeful. But passage and implementation seems an unlikely prospect, though it will be of more than passing curiosity to see what impact energy policies established over the next few years have on such proposals and reactions. Perhaps a real world-wide crisis in energy resources will accomplish what social protest movements of past decades have been totally unable to achieve.

Meanwhile, a role similar to that of large corporations at the national and international levels is being played by smaller businesses at the local level that also has a relationship to harassment of Black elected officials. These businesses often control the local power structure, traditionally through party machines. Black officials who challenge party politics--whether Democratic or Republican--find themselves or their staffs and associates being brought before Grand Juries or subjected to recall efforts, and their constituents subjected to personal threats, loan foreclosures, loss of credit, and job terminations.

The local businesses, too, support economically, if not politically, media attacks on Black officials through newspaper and broadcast advertisements. Only on rare occasions does a business exercise its power to encourage newspapers to cease the harassment, and usually then because of a concern for damage being done to the business climate. Such apparently was the case in the media attacks on Mayor Maynard Jackson, and to a far less extent, Congressman Bill Clay, in St. Louis. Lt. Governor Mervyn Dymally acknowledges in his case that "even the white business community began feeling very guilty. One person said to me, 'We are one of the biggest advertisers in the _Times_. I've got to talk to them about it, because this is doing you no good, and doing the community no good.'" Such signs as these are also hopeful. But they are far too infrequent.

Carl Stokes, in his book _Promises of Power_, offers a graphic example of the more characteristic business involvement in and control of government, and the complicity of the media. He describes the Cleveland Trust Company, which "over the years had amassed a pyramid of trust holdings that gave (the president) and his hand-picked board of directors voting control over the very economic life of Northern Ohio." At one time, this bank held over $2 billion in shares of stock; a former president sat on the boards of 52 different corporations, including three competing coal companies; he determined which firms got which contracts; he controlled two of Cleveland's largest department stores.

Says Stokes, "It was just the sort of situation you would expect a newspaper to investigate. Unfortunately, controlling interest in the _Plain Dealer_, the largest morning newspaper in the State, was held by Cleveland Trust."

Before being elected Mayor, Stokes was involved as an attorney in a lawsuit involving Cleveland Trust. As the case proceeded through the courts, writes Stokes, "a much more fascinating struggle was going on in the state legislature. From under tables and out of sleeves, new cards were beginning to appear. Even before the case actually went to trial, the Cleveland Trust Company, through its lobbyists and friendly legislators, was moving to amend the state law to make its voting practices legal.

"...So the legislature did amend the law and made our issue moot. The members of the banking committee that passed the legislation on to the floor were persons who the lobbyists had determined were either neutral to their interests or on their side."

He continues,

> The people are not really represented when the work of government is being done. The day-to-day business of a legislature is to pass laws that affect the fundamental economic life of their State, or in the case of Congress, the nation itself. The men who really do the work on those laws, working on language construction and persuading legislators, represent special interests. The people's lobby is supposed to be the legislature itself, but the men elected to it almost never are specifically knowledgeable about the industries and interests they are asked to pass judgment on. And, when these men want information, the only people they have to turn to are lobbyists and others with vested interest.
>
> ...One of the main things I learned...was their rule--unwritten but as rigid as a fist--against getting involved publicly on issues. That is the rule for the power structure, the business community, those very private men at the tops of our businesses and industries. They couldn't afford to fight... in the public arena because they do too many things the public must not know; their deceptions, their intrigues, their dealings with each other must stay private.
>
> ...Out of (my) relationship (with the one person who challenged the Cleveland Trust) grew a confidence that a man can take an independent position and win. But also that castigation and vilification will come to any man who tries to do something that he thinks is important but that is inconsistent with what powerful special interests want...[36]

That observation is essentially the history of race relations in America. Congressman Walter Fauntroy traces the origins of racial segregation following the Civil War to "schemes devised by 'moneyed special interests' who used racism to keep poor whites and blacks from achieving political and economic power." The same moneyed special interests, he recalls, brought an end to Reconstruction through a political alliance designed to disenfranchise Blacks. The same moneyed special interests condoned the terrorism of the Ku Klux Klan that began at that time and that "lasted even until 1963 when Medgar Evers was gunned down...'for simply trying to get Mississippi blacks to register and vote.'" The moneyed special interests, he says, "'laughed all the say to the bank,' while using racism to create hatred between poor blacks and whites."

The coalition of Southern Democrats and conservative Republicans, he charges, "'has dominated national politics and has developed a system whereby the rich get richer and the poor get poorer.' The coalition has created a system in which the moneyed special interests 'still thrive on getting Archie Bunker to think that we are the enemy...'

"'There's a connection between politics and economics. If we ever wake up the Archie Bunkers of this country to what's going down in the multi-national corporations and the rich individuals of this country, they will soon learn that busing is not the issue and that blacks are not the enemy.'"[37]

Nor, he might have added, are Black elected officials the threat--except to "moneyed special interests."

Federal Government

More than one Black official has expressly asserted that the harassment now occurring is all under the auspices of the Federal government. If the harassment is not coordinated and master-minded by the Federal government, it certainly is the case that many of the agencies involved in one way or another in the harassment (and discussed in other sections) are a part of the Federal government, including the intelligence agencies, the Department of Justice, and the Internal Revenue Service. Other agencies are implicated in the harassment by virtue of the impact of their policies of "benign neglect" on Black officials, particularly Mayors of cities. (See "Domestic Issues"). Among these are the Department of Housing and Urban Development, the Department of Transportation, the Law Enforcement Assistance Administration, the Department of Labor, and Health, Education and Welfare. Then there is the behind-the-scenes interaction of the Federal government with the corporate interests that implicitly, if not explicitly, condones and bolsters the role of corporations in the harassment.

When Martin Luther King was indicted on charges of falsifying State income tax returns, a friend advised him, according to Mrs. King, "It isn't your responsibility to defend yourself. You are in trouble because of who you are and all you have done for the Movement and this country. It is the country's duty to see that you are properly defended."[38]

The country never defended Martin Luther King, even after it passed historic civil rights legislation. It didn't defend the poverty programs, even though it initially launched the War on Poverty. It has participated in the harassment of Black elected officials, in spite of having adopted a Voting Rights Act to guarantee political representation of minorities. It remains to be seen whether defenses will be afforded Black elected officials.

Certain excesses of the government that destroyed social change activists and organizations during the past few years have presumably ceased. Hopes are running high that the Carter administration will bring a new standard of justice to the country. However, no new standard that is established can be truly just until there is full recognition of the expansive network of bias, discrimination and violence against the symbols of Black politics that permeates the entire structure of the Federal government. Then, there must yet be the will and the determination to act. Tests of this understanding and commitment may well be provided in the policies carried out with regard to the economy and energy resources, for no two issues contain within them the fate of Black politics to such a degree as do these.

White Social Scientists, White Extremists, and White Liberals

White social scientists play what is by-and-large an unconscious role in harassment in essentially two ways: First, they are centrally involved, through their research and recommendations, in formulating public policy; second, through their publications and public pronouncements, they create and perpetuate in the minds of the public myths about minorities and the poor. These activities contribute to harassment by virtue of the fact that the work of white social scientists too often is characterized by a subtle social bias that appraises social problems from a perspective of middle-class white values.

The world of academia is inextricable from the research grants of private industry and the Federal government, or from the communications channels of the mass media. As Lerone Bennett, Jr. has noted,

> If one reads the literature of "validated hypotheses" about those who are outside the power order, he is impressed with the endless cliches of "low I. Q.," "low social class," "weak ego strength," "lack of father image with which to relate," "inability to forego immediate pleasure for long-range goals," "matriarchal domination," "cultural deprivation"... One comes to the conclusion that if the little man ever succeeds in making his outreach and upreach to full self-hood, his first

> job will be to beat down the mythologies the behavioral scientists have created about him. These mythologies permeate all the institutions of American society, including the press...
>
> ...By and large, American journalism reflects the biases of middle-class white scholars and scholarship which are weighted heavily against radical change... We are being smothered by extremists of the middle--extremists of the status quo.[39]

It is such "extremism" that feeds the public atmosphere which accepts unquestioningly racist attacks on Black officials. The "objectivity" of white social scientists that has long promoted public policies that are paternalistic and condescending toward the Black population as a whole is one more barrier that Black politics must surmount in the struggle to achieve its goal. And at the point where some progress appears to be made, the social science community invariably succeeds in raising the barrier higher through the pronouncements of a Shockley, or a Jensen, or a Moynihan that sustain the myth of Black inferiority or inadequacy. The media serve to reinforce the barrier erected by the social scientists. Black officials who would challenge the barrier become defined by the media as the "extremists."

Meanwhile, many officials find themselves also having to contend with a different kind of extremism--the extremism of right-wing radicals. Particularly in the South, but in some northern states, as well, the Ku Klux Klan, white citizens councils, and companion organizations continue to wield their tactics of terrorism. The Black officials who experience these tactics decline to state outright--and typically have no way of being sure--that the harassment comes from such organizations. But those who experience the hate mail, the threatening phone calls, the shot gun blasts in their homes, are in agreement that whoever the individual instigators may be, their mentality is certainly compatible with that of the Klan.

Practitioners of this kind of harassment must, however, be credited with a certain honesty. Their hatred of Blacks--and their intolerance of Black power--is undisguised. The motives are clear and straightforward.

Not so the opponents to Black political development who come disguised as liberals. White liberals, in their subtlety and sophistication and assertion of color-blindness, are able to wield a form of harassment far more difficult to cope with than that of the overt bigots.

Whether they present themselves as social activists, academicians, or journalists, white liberals tend to lend ambiguity to the efforts of Blacks and to diffuse the energy of Black movements. Their presence too often means that Blacks must deal with or through them--rather than directly with whites in power who hold the solutions to problems. Or, posing as advocates of "radical" political and economic change, liberals attempt to enlist Black support in a broad spectrum of issues which speak peripherally to long range Black concerns and not at all to immediate needs of the Black community.

The facade of liberalism established by some newspapers cultivates a captive readership that then believes and subscribes to conservative and erroneous positions taken by those same newspapers--such as assertions that a particular Black official is corrupt.

The "color blindness" of liberals leads to such peculiar observations as this one, offered by no less renowned a social scientist than Nathan Glazer of Harvard University:

> For the past forty years, the pattern of American political development has been to ever widen the circle of those eligible for inclusion in the American polity with full access to political rights. The circle now embraces--as premature hyperbolic statements made as long as 200 years ago suggested it would--all humanity, without tests of race, color, national origin, religion, or language.[40]

That is certainly a statement that could be made only in blindness. And it is such denial of discrimination, and of the longings and aspirations of Blacks, that leads to Black politicians being accused of the same offenses as white politicians, when in fact Black politics is neither welcome nor entrenched in the total political system, nor desirous of taking on the characteristics of traditional white politics.

The power and the danger of such liberalism is not to be underestimated. Nathan Glazer is only one member of an intellectual, liberal ivy-league elite that during the Kennedy years wielded tremendous influence on government policy and practices. Today, the influence of some of these same persons on national and international issues is exercised through the Trilateral Commission, the Rockefeller-funded policy-planning group whose avowed purpose is to bring together the major powers of the industrial northern hemisphere--which is to say Western Europe, Japan and North America--to discuss mutual problems. Among the members of this Commission are President Jimmy Carter and Vice President Walter Mondale; Zbigniew Brzezinski, National Security Adviser; Cyrus Vance, Secretary of State; Michael Blumenthal, Secretary of Treasury; Harold Brown, Secretary of Defense;

at least five other top officials in the Carter Administration; several of President Carter's top advisers from labor and private industry; and U. N. Ambassador Andrew Young. Only the latter is Black.

Discussion of this "policy-planning group" is taken up again under "International Issues." Suffice it to say here that the white liberals of the Sixties do not constitute an adequate referent group for a national administration that is to respond sensitively and fairly to Black politics. Indeed, Alexander Bloom, in an article appearing in the Harvard Business School Journal, has characterized the white intellectual liberals of the Sixties as the "neoconservatives" of the Seventies. He writes: "The destruction of the equipoise achieved in the America of the 1950's by the disorder in the ghettos, on the campuses, and in the streets of the 1960's was a major trauma to the neoconservatives. For them, the most important question has become how to achieve some new stasis, given the potential for further, perhaps irremedial upheaval."[41]

Translated, that presumably means that the goal is to maintain the status quo. Odd as it may seem at first glance, white social scientists, white right-wing extremists, and white liberals appear to have something in common: All represent impediments to the changes that Black politics seeks.

"Reverse Discrimination"

The charge of "reverse discrimination" has emerged as the counter resistance to the civil rights gains of the Sixties. It is, therefore, an issue that must be included in the examination of harassment of Black elected officials.

First of all, the charge provides a reading of the public atmosphere and sentiment. The ground swell of support for the reverse discrimination charge comes from the same three categories considered in the preceding section--white social scientists, white extremists, and white liberals--who are joined by other forces as well that bring with them motives which are highly suspect.

The charge stems most fundamentally from the racism of white men who see in affirmative action programs a threat to their economic supremacy. This threat, of course, is aggravated by an inflationary economy and high unemployment rates. The accusation of reverse discrimination is lent credibility, however, by nationally recognized "liberal" (and neoconservative) social scientists. A case in point is--again--Nathan Glazer, whose widely read book, Affirmative Discrimination, argues that affirmative action programs violate a basic tenet of American democracy which asserts that individual rights must obtain over group rights--an argument which fails to acknowledge that discrimination against Blacks has always been accorded precisely because of their identity as a member of a group, a circumstance which affirmative action programs are designed to overcome.

Advocates of white ethnic rights, (among whom must be counted Glazer), who gathered strength at the height of white reaction to the Black Power movement, have also taken to subtly introducing the charge of reverse discrimination. This development was depicted with precise clarity by Carl Rowan in one of his syndicated columns. Michael Novak, executive director of the Ethnic Millions Political Action Committee, prepared an article during the 1976 election campaigns, it seems, asking if Carter were going to "join the Protestant powers in Northern cities and side entirely with Blacks." Novak then proceeded to complain that white liberals had been reluctant to criticize Blacks for fear of "providing ammunition to racists," and to admonish Blacks that they were going to have to accept being criticized, the same as whites are criticized. In other words, Blacks could no longer expect to be given special treatment just because they were Black. As Rowan interpreted this, Novak's approach represented a "new gimmick," a more dignified way of asserting that Patricia Harris and Andrew Young would receive appointments because of "reverse discrimination." Commented Rowan:

> It would never cross my mind to lecture Brzezinski and Califano about how they'd better get ready to "take it on the chin" because the media is going to stop taking it easy on Poles and Italians.

Furthermore,

> ...Someone should have told the late Rep. Adam Clayton Powell that he had a special exemption from criticism for wrong doing. Novak ought to explain this "hidden kind of racism" to Mervyn Dymally of California and George Brown of Colorado, both of whom were hit by a barrage of charges of wrong doing at almost the moment they became lieutenant governors of their States.
>
> We black Americans know the truth: any black put in a position of meaningful power had better keep his nose cleaner than a pelicans, because there will always be a small army scheming to drive him or her from power, eager to pounce on any hint of scandal.[42]

The power of the phrase "reverse discrimination" is that it has become a new way--and a respectable way--of conceptualizing the illegitimacy of Blacks.

Black elected officials--along with Blacks in most other positions other than menial jobs--are viewed as "undeserving," as if they got to where they are solely through the gifts and good graces of whites. The Blacks in those positions presumptuous enough to speak out are considered to be unappreciative, ungrateful and impertinent.

If the officials strongly advocate affirmative action programs in the systems of which they are a part--as most of them do--the consequence is harassment. This has been the case with any member of State Legislators; it is particularly a problem for Black Mayors. In Detroit and Atlanta, for example, much of the hostility against Coleman Young and Maynard Jackson clearly stems from their aggressive positions in implementing affirmative action programs.

Indeed, some Black officials define the charge of reverse discrimination as one of the distinct tactics of harassment, and view the multiple lawsuits and Grand Jury investigations surrounding this issue as a measured, deliberate strategy for discrediting them and securing their removal from office.

The issue of reverse discrimination, yet to be decisively resolved in the courts, may well serve as the rallying cry for some time of those who would obstruct the progress of Black politics. It should be seen for what it is--a devisive, racist move to not only maintain the status quo, but to reassert the conditions of inequity that prevailed a decade ago.

Black Disunity

The identification of disunity among Blacks as one issue impeding Black political development is not to argue for ideological unanimity, nor to say that the entire Black community should be subverted to the leadership of one or a few persons. On the contrary, as has been noted elsewhere, Black politics derives a measure of security from the circumstance of multiple and diverse leadership. Rather, the argument is against working at cross-purposes in such a manner as to do harm to the issues and interests that are common to Blacks as a people by virtue of continuing inequality imposed because of racial considerations.

Any discussion of Black disunity must recognize two realities: 1) that it is orchestrated by design from outside the Black community, and 2) that it is also nourished from within. A third factor to be considered is the interplay of these two realities. The dilemma is circular: Blacks will perhaps unite more, the more they see Blacks controlling the system; as long as the white system is beating down Blacks who move into positions of control, Black unity will be discouraged. Black elected officials ride a kind of see-saw with one of these two forces always working against them. A rise in power means an increase in harassment, though a decrease in Black disunity; a fall in power means a decrease in harassment, but an increase in Black disunity. Sustaining the momentum of Black politics at a level that can have substantive impact on life conditions of the Black pupulation will require somehow coming to terms with both forces.

As noted in the earlier discussion under "Intelligence Community," certain tactics to promote disunity have been devised and sanctioned by agencies of the Federal government itself, and to assume that this will never occur again may be an assumption of considerable risk.

> (The) stated purpose (of)...the most massive and scurrilous of these counterintelligence programs (COINTELPRO)...was to undermine the black movement by "eliminating any possible black Messiah" who might emerge "to lead and unite the black masses."
>
> The government was more respectful and fearful of our potential as a united people than we have ever been ourselves. Where they saw possible black unity, we saw--and see--only the impossible dream...
>
> We must confront this underside of American politics, primarily because it will continue to confront us. That was made abundantly clear by the Senate (Intelligence Committee) report which was unable to determine the extent to which COINTELPRO may be continuing. In fact, it found "three instances of similar operations even though the program was supposed to have been abandoned in April 1971."
>
> There is certainly no good reason to assume that the "widespread law breaking" of the past has come to an end--the mentality that produced it has not come to an end...
>
> The irony of our situation, therefore, is that at worst we are a people ambivalent about a political system that is not ambivalent about us. Whether we want to be or not, we are at war. And the sooner we come to that realization, the more likely are we to be in a position to identify and confront the enemy and do serious battle with it...[43]

The primary motive of all harassment may, in fact, be precisely the inciting of such disunity; it surely has that effect when the community fails to recognize what is being done to their representatives. It is, therefore, appropriate to outline some of the additional divide-and-conquer techniques. They include:

- Promises of patronage jobs and other economic benefits to "loyal" Blacks;
- Intimidation and threats of economic loss to "disloyal" Blacks;
- Payments to Blacks who will act as FBI informants, community dissidents, campaign opponents, and character assassins;
- Subsidizing of petty Black criminal activity, supporting of drug habits, and awarding of token governmental contracts;
- The spreading of lies and rumors discrediting the motives and capabilities of Black candidates and officials;
- The designation by white party machines of which candidate will be allowed to run for office, and which offices they may seek;
- The perpetuation of the myth by the same machines that Blacks can only be elected from predominantly Black areas;
- The determinations by party machines of who will be designated as the leaders of Blacks;
- The creation of leaders by the news media through selectively providing coverage to some Blacks and not to others;
- The use of the patronage system to appoint Blacks who are deemed too influential or too independent to positions, such as judgeships, where their political power cannot be exercised.[44]

Internal nourishment of Black disunity to a certain extent represents the other side of the coin of the external tactics. This includes, for example, Blacks who accept payoffs and act as informants and "front" men; Blacks who cater to white machine politics out of personal expediency; Blacks who yield to intimidation rather than organizing and fighting back.

At the constituent level, Black disunity often erupts out of lack of knowledge about the system and how it works--an ignorance that leads to Blacks turning on Black officials because of frustrated expectations that all problems will be remedied immediately. Lt. Governor Dymally comments on this dilemma:

> The expectations in the black community of black elected officials are higher than they are in the rest of the State or city or district. Because of the frustration of blacks in trying to penetrate the system, they expect automatic changes when blacks get in, not recognizing that blacks often face many of the same problems within the political structure in this different environment as the poor face in their environment. The environment may have changed, but the resistance is still there. In other words, it is as difficult for me to get a bureaucrat to respond to some of the problems I represent here as it is for the poor in Watts to get the bureaucrats to respond to their problems. We just change the scene, but the bureaucracy still chokes us.[45]

The conflict that results from unrealistic expectations is compounded by an apparent lingering tendency for some Blacks to have more trust in white officials than in Blacks, to feel more secure with white representatives, and therefore, to support them against Black officials. (Discussed further in the section headed "The South"). Related to this is a tendency to accept at face value charges that are made against Black officials without examining the racism involved and assessing the situation for themselves. A contrast to this pattern is provided in districts where good communication between the official and the constituents precludes growth of doubt and leads to a protective "closing of the ranks" in defense of the official being harassed.

Other elements of disunity emerge from within the ranks of Black elected officials themselves. Some officials opt to participate largely in white politics, working against other Blacks, to the detriment of the Black community. Also promoting disunity is a frequent atmosphere of competitiveness and in-fighting--an unwillingness to relinquish some degree of status, or publicity, or power for the sake of promoting unified leadership.

But perhaps more significant than disunity among Black officials is the characteristic of non-unity; that is, the tendency, once elected to office, for an official to work independently, as an individual, rather than developing a support base of peers. Black politicians have yet to develop a structure that cultivates the kind of relatedness which would serve to defend any one of them who comes under attack. They thus remain vulnerable to tactics designed to promote disunity.

Finally, disunity must be considered at the level of the entire Black public--the total population that constitutes the Black community. Though tremendous changes have occurred in the past ten years, the overall level of participation by Blacks in the political process remains far below what it needs to be. Two factors that bear on this situation--namely, withdrawal and adjustment--are worthy of note. The first was described by Martin Luther King, Jr. in 1967 in his book, Where Do We Go From Here - Chaos or Community? The words seem still valid today.

> A key reason for our dearth of political strength ...arises from the grip of an old tradition on many individual Negroes. They tend to hold themselves aloof from politics as a serious concern. They sense that they are manipulated and their defense is a cynical disinterest. To safeguard themselves on this front from the exploitation that torments them in so many areas, they shut the door to political activity and retreat into the dark shadows of passivity. Their sense of futility is deep, and in terms of their bitter experiences it is justified. They cannot perceive political action as a source of power. It will take patient and persistent effort to eradicate this mood...to channel constructive Negro activity into political life and eliminate the stagnation produced by an outdated and defensive paralysis.[46]

The challenge issued by Dr. King to eradicate the understandable mood of passivity was matched in 1973 by William Strickland, who delineated a second factor involved in nonparticipation and warned of its possible consequences. He might have been speaking specifically of the Black response to harassment of their elected representatives.

> ...Blacks must tread with special care because, as America's foremost victims, we have become somewhat inured of America's crimes. Having survived the murders of our leaders and the sterilization of our young, the attacks upon our manhood and the violation of our women, we have a tendency to look upon each new instance of American sin as simply a new act in an old and familiar drama. We expect evil of America, and so, perhaps unconsciously, we have begun accepting America as it is. But in accepting America as it is, the attitude of cynicism replaces the habit of struggle, and we find ourselves retired from the play that is America, leaving only white actors on center stage. But it is essentially the only play in town: The play/struggle over what America

> shall be. We have two choices: to be audience, or to be actor--and we remain only audience at our most dire and grievous peril.[47]

Value Differences

Not all harassment is conscious, deliberate and malicious. Harassment comes to Black officials from unconscious acts as well--acts that grow out of value conflicts and differences in perspective, and that in turn lead to a failure or inability to communicate.

These value differences grow out of the historicaly differing experiences of Blacks and whites in America--out of the juxtaposition of oppressed to oppressor. The differences result in a different style and a different set of priorities for Black politics than characterizes the White political system--or white society as a whole.

Because the media is in the business of communicating, their failure to understand--and to respect--these differences is particularly disturbing. The media are uniquely and powerfully positioned to impose white-oriented values, which can only result in biased and unfair assessment of the actions of Black elected officials.

The crux of the value differences is epitomized in the historical contradictions of the concept of Black leadership. As James Baldwin has characterized the contradictions:

> ...The real role of the Negro leader, in the eyes of the American Republic, was not to make the Negro a first-class citizen but to keep him content as a second-class one...
>
> Not everyone who was publicized as a leader really was one. And many leaders who would never have dreamed of applying the term to themselves were considered by the Republic--when it knew of their existence at all--to be criminals. This is, of course, but the old and universal story of poverty in battle with privilege, but we tend not to think of old and universal stories as occurring in our brand-new and still relentlessly parochial land.
>
> The real goal of the Negro leader was nothing less than the total integration of Negroes in all levels of the national life. But this could hardly be stated so baldly; it often could not be stated at all... The reason for this duplicity is that the goal contains the assumption that Negroes are to be treated, in all respects, exactly like all other

> citizens of the Republic. This is an idea which has always had extremely rough going in America. For one thing, it attacked, and attacks, a vast complex of special interests which would lose money and power if the situation were to change.[48]

It follows from white society's perception of the role of Black leadership that Black leaders ought to act like white leaders--that they ought to set the same priorities and provide to their constituents the same services. Black leaders cannot do that. To do so would be to encourage and maintain second-class citizenship. It would be to ignore the problems and needs that are far more prevalent in Black ghettos than in white middle-class suburbs--problems such as criminal records, unemployment, inadequate housing and health care and education; problems that have their origins in race and class prejudice and that continue to determine the character of the daily lives of millions of citizens.

The failure of the media and other white institutions to grasp the nature of Black politics and the roles of Black politicians is one of the greatest sources of frustration for Black elected officials. Comments such as the following are typical.

Says former State Assemblymember Leon Ralph:

> The role of Black politicians is distinctly different from white politics. Representatives of low income Blacks, especially, play a multitude of roles. They are not just politicians in the traditional sense of the word. They are social workers, counselors, teachers... They help arrange funerals and testify at parole hearings...
>
> The white media do not understand that. They treat Black politics the same as white historians treated Black history--excluding truth, reality, necessities, strengths and achievements. They write about Black politics with a white perspective--a white frame of reference--and it comes out with distortions, omissions and totally erroneous projections.
>
> Black politicians are thus projected as being as bad offenders, if not worse, than white politicians. This is projected to the general white population, and to some Blacks as well. Blacks themselves, via the white media, may unconsciously adopt biased standards for assessing their representatives.

The role and style of many Black officials is influenced by a cultural value of the Black community which asserts the primacy of extended family over individualism--a value in sharp conflict with what Bob Terry, author of For Whites Only, labels "the white male club." Writes Terry:

> The white male, Western, highly technological society rewards individual initiative; encourages competition; supports dispassionate, objective and analytic thinking, and provides for creativity and personal advancement within the system... In place of individual initiative, blacks, chicanos and other groups value communal experience. "No one makes it until the whole group makes it" is a growing conviction among these groups... The image of the stong dominating entrepreneur, risking and competing for advancement, is challenged by a collaborative, open nonaggressive style... For years, white males have been promised that hard work, education, and ability pay off. The club has been a good place for competent creative strivers. As a result, white males often find themselves living in a myth world, frustrated and demoralized when the system does not deliver on its promise... Minority people and a growing number of white women, in contrast, have had to face the club's lie repeatedly. Only by going outside club rules, or by using them against the club, have basic changes been possible.[49]

Blacks elected to public office act out their cultural values by attempting to meet the peculiar needs of their constituents that the system ought to meet, but doesn't, because it is oriented to the white middle class and to the business community. They attempt to secure jobs for the unemployed, and are accused of indulging in patronage. They seek to keep offenders out of prison and functioning as constructive members of society, and are charged with meddling in the judicial process. They seek to maintain independence from white corporate control by accepting contributions from Black professionals, and are charged with conflict of interest. Perhaps most absurd of all, they are criticized for showing favoritism, for giving preferential treatment to Black constituents--as if Blacks wouldn't be in their present predicament if white politicians hadn't historically given preferential treatment to white constituents, and done so, incidentally, quite free of any criticism.

The very fundamental value differences between Black and white politicians have been documented in a number of studies. Their significance was noted by Robert Crain in his book, The Politics of School Desegregation, who found, for example, that of all the factors that might be expected to influence public policy regarding school desegregation--the intensity of demands of civil rights activists, the proportion of the population that was Black, the economic and educational levels of the white population--none were so important as the values of the public officials. "The most important factor influencing desegregation policy," he wrote, "was the civil rights attitude of school board members... The ideological orientation of school board members is the *most* important factor in determining how a community responds to demands for changes in racial patterns in the schools."[50]

Empirical documentation of value differences between Black and white officials has been provided by James Conyers and Walter Wallace in *Black Elected Officials: A Study of Black Americans Holding Governmental Office*.

> Black and White officials differed sharply in their motivations for seeking elected governmental office. Among Black officials the desire to correct social injustices was given high priority, and low priority was given to serving the country, while among White officials these desires received just the reverse priorities. Our analysis has suggested that Black officials tended to draw more social distinctions among Americans--for example, between the beneficiaries and victims of social injustices and between those who are "on the inside" and those who are "on the outside." White officials, on the other hand, seemed much more prone to see the United States as "one nation, indivisible", and--considering the strong connection between their desire to serve the country and their belief in racial hereditarianism--they may have tended to add "indivisibly White, with liberty and justice for Whites first."
>
> ...It seems very likely that these motivational differences reflect a stronger tendency of White Americans to see themselves as belonging to this country and this country as belonging to them, while Black Americans tend more to see themselves as strangers here. In this light, the stronger desire among Black officials than among White to be "on the inside" seems immediately understandable: The outsider simply wants "in"...(However), a desire to be "on the inside" might not be an end in itself... We take the desire to correct social injustices as end, and the desire to be "on the inside" as means.
>
> ...(White officials seemed to) perceive a sharp incompatibility between correcting social injustices and serving the country, and they made their choice; Black officials did not perceive so sharp an incompatibility. To some Black officials at least, correcting social injustices may have been a way of serving the country. This possibility seems to

> have its complement in the finding that associations between the desires to correct social injustices and to have personal prestige and income are more positive among white respondents than among Black respondents. Thus, Black officials were less likely to see a contradiction between serving the country and correcting social injustices, but more likely to see a contradiction between seeking personal prestige and correcting social injustices. The net implication of all this seems to be that Black officials may have been motivated to correct social injustices less for immediately self-gratifying reasons than were white officials...

Not surprisingly, "...a consistently stronger liberal tendency on the part of Black officials than on the part of White officials (was) revealed... Some 70 percent of Black officials, but only 26 percent of White officials, agreed that 'true democracy is limited in the United States because of the special privileges enjoyed by business and industry.'" Furthermore, 76 percent of Black officials agreed that "it is the responsibility of the entire society, through its government, to guarantee everyone adequate housing, income and leisure," while only 30 percent of White officials concurred. White officials placed a higher premium on the protection of property rights than did Black officials. White officials were more concerned that the country has moved close to socialism, while Black officials were more concerned that the country has moved close to fascism.[51]

The above generalizations of value differences quickly cease to be abstractions for the Black representative in office; their consequences are very real. Summarized Carl Stokes:

> ...Cumulative experiences taught me to be a hard-headed realist in most ways... I quickly developed a sure eye and an ability to sense the other man's bottom line. Such things are necessary for political success. And yet that success is hollow without commitment to some social goal that carries a man beyond his own petty concerns. This is the paradox of political reality: The mainstream (what most people do most of the time) is a flowing stream for mediating petty concerns, and the man who tampers with it does so at his peril; whenever he tries to divert its energies for the purposes of the disenfranchised, the poor, he finds himself on the wrong side of the floodgates. Underneath all the high talk, the campaign promises, the idealist theories, politicians are mostly interested in perpetuating their privileged positions. No matter how well a man understands this, no

> matter how hard he is, if he fights for the have-nots he will find himself alienated from most of his fellows, and they will do their level best to wear him down, to break him. He may, if he is good enough or sharp enough or powerful enough, win some particular and even important victories, but eventually he will be driven out...[52]

Under such conditions, facing such eventualities, it is not surprising that many Black officials are sorely tempted to compromise their values--and some do. As Paulo Freire noted in Pedagogy of the Oppressed, "...At a certain point in their existential experience the oppressed feel an irresistible attraction towards the oppressor and his way of life. Sharing this way of life becomes an overpowering aspiration. In their alienation, the oppressed want at any cost to resemble the oppressor, to imitate him, to follow him."[53]

The nature of the dominant values of Black politicians is such that faithfulness to them means a striving not to perpetuate "we-they" dichotomies; it means concern for and service to all peoples, excluding neither Black nor white; it means not adopting the divisive and punitive tactics that characterize the oppressor. If these values prevail, we cannot but all benefit. If it is, as Carl Stokes posits, that such caring officials "eventually will be driven out," it will instead be a shared--and monumental--loss.

Watergate

The issue of value differences is inextricably linked with the "new post-Watergate morality." The inclusion of the subject of Watergate in this discussion is not to recount its sordid, intricate details, but to reflect briefly on some of its consequences, particularly as they play a part in harassment of Black elected officials.

What seems unlikely is that one of the consequences will be thorough transformation of a corrupt political system. As William Greider of the Washington Post wrote recently, "Every season, it seems, somebody picks on him. Newspapers expose him. Performers denounce him. Prosecutors indict him and send him to prison. But this much has to be said for the crooked politician--he endures. He is a permanent fixture, it seems, of American politics."[54] Judith Nies, former Congressional staff assistant and now free-lance writer, put it a somewhat different way:

> The working environment on Capitol Hill is so detached and artificial that it becomes almost impossible for any member of Congress to relate to the aspirations of deprived people who seek a

> voice in the making of the laws that govern their lives. If members cannot even find a way to listen to the grievances of their employees or to remedy the systematic abuses in their own offices, how can they hear the voices of the poor, the unemployed, minorities, women, students, children, migrant workers, or coal miners?
>
> Wayne Hayes was the skillful manager of a corrupt system, and he was eventually done in by his own excess. But his replacement is in the wings. For those whose interests are protected and advanced on Capitol Hill, a little corruption has its uses.[55]

Watergate has become a synonym for corruption. But unlike Watergate, corruption is not new, not short-term, and has not been eliminated. Corruption is as much in the American tradition as racism, "freedom" of the press, corporate domination, and intelligence activity. It is in the nature of the system. It is also what Black politics--whose spokesmen were among Nixon's "enemies"--opposes.

Tragically, the zealousness of many of those who would reform the system ensnares some of their own allies--and a good share of the innocent, both white and Black. And it has set in motion dynamics that work against achievement of true reform. The following observation by Irving Kristol identifies certain excesses and hazards of the "post-Watergate morality."

> We have been living with that morality for many months now, and it seems to me there are two things to be said about it. First, it is far, far better than the pre-Watergate morality. Secondly, it may be too good for any of us to survive.
>
> ...Unfortunately...the other side of American political cynicism is American self-righteous moralism. The demand for "clean government" becomes an insistence on a degree of political purity which, in the real world, is either not within human reach or is itself self-destructive. At the moment, this kind of moralistic fervor is in full-swing, and is notable in the vigilante like passion with which the news media tracks down every sort of misdemeanor committed by officials, no matter how trivial or ambiguous or even nonexistent.
>
> There is an obstinate presumption that innocent explanations cannot possibly be true--that there

> is a direct connection between permitting a private citizen to pay for one's lunch, or one's golf fees, and one's ultimate views on matters of public policy. None of us really experiences such a direct connection in the conduct of his private affairs. A publisher who accepts a Christmas gift from a printer doesn't for a moment think he has been "bribed". But, then, we believe ourselves to be basically honest--a good opinion we do not extend to public officials.
>
> One observable effect is the increasing reluctance of distinguished men and women to enter politics--the slightest transgression, however unwitting or however irrelevant to the performance of their duties, leaves their reputation stained forever. More important, because more immediate in its consequences, is the incarnation of the post-Watergate morality in the laws which Congress and other legislatures either have passed or are contemplating passing.

Kristol then proceeds to analyze the probable impact of the reform "sunshine" laws, the ethical behavior codes, the legislation aimed at practices of bribery and lobbying, arguing that they are largely uninforceable--in part, undesirable--and will likely promote new corruption which will then demand new reform efforts. He concludes:

> None of this argues against the need for reform or constant vigilance against the abuse of power. Any political system will, over time, develop bad habits, and these bad habits can become so ingrained and extensive as to threaten the health and effectiveness of the system as a whole. In a sense, there is always a case for reform, and a corresponding need for reform-minded activists. But a zeal for instant and total reform is not likely to produce enduring improvements...
>
> ...There is a certain naturalness and inevitability to this rhythm of American politics. But, it would be nice if that rhythm were less extreme. Even the healthiest country can wear itself out, damage its basic constitution, by such spasmodic self-abuse.[56]

If Kristol's defense applies to politicians generally who are subjected to excessive scrutiny and unreasonable criticism, it applies doubly to Black politicians. The change of standards brought by Watergate has had a particularly adverse effect on their efforts. The standards--once again--are largely white-oriented, and totally devoid of recognition of the roles and objectives of Black politicians. (Discussed in the preceding section.) The difficulty of the tasks of Black officials has been greatly compounded by the post-Watergate climate. The impact extends to Black constituents, who face new barriers and obstacles to the meeting of their needs. This predicament was cited repeatedly by Black officials contacted in the study process, but by none more passionately than Lt. Governor Dymally, who offers this analysis:

> We have developed a whole new political ethic now that is working against the poor. You see, middle class people don't really need representation in government because they can articulate their concerns through various public forums, through the classroom, through their law firms, through their medical practices, through their permanent civil service jobs, or through the media. Poor people do not have those forums to air their concerns; the only person to whom they can go is the elected official. The only forum they have to articulate their concerns is through the legislative process and trying to influence the bureaucracy to change. When I came into office, it was perfectly proper to go to a bureaucrat, the Deputy Director of a particular department, and say, "Look, this woman hasn't received her welfare check, or she needs medical attention, or a small businessman is guilty of a technical violation of the real estate code and to take his license away would deprive him of a livelihood and force his family on to welfare."
>
> Or, "Given the social conditions of poverty communities and the state of some minorities in America, it would seem to me that this or that prison inmate would be better off being released to go back to his family and get them off welfare and begin to construct a new life." That was expected from you; that was routine. Now, to do that is considered unethical, or considered to be peddling influences, especially if that person turns around and says in return for helping me, or my community, or my business, I am going to buy a couple of tickets at your fund-raising dinner. And so, I think this whole new ethic is intimidating the effectiveness of the politics of the poor. Poor people need to have access to the system and need to influence the system by using their elected representatives to lobby for them.
>
> Now, we need to separate that from special interests--the insurance interest, the oil interest,

> the race track interest. When we start categorizing and generalizing we seem to put everybody in the same pigeon-hole. The poor people are put in the same pigeon-hole as the other special interest groups. That's to me a very legitimate complaint to be raised in the context of this new political ethic which we are now experiencing in this country.

Continuing, Dymally says,

> I am frightened by the thought that this new ethic might intimidate blacks into becoming ineffective and not introducing the kind of controversial and innovative legislation that is necessary to focus attention on the poor. Not that legislation per se is going to change the status quo in Watts, but it at least focuses attention on some of the problems. If we are intimidated by newspaper editorials and this political ethic, we are going to become so ineffective that we are not going to be able to do anything at all.
>
> ...That's one aspect of the reform movement that no one is talking about, and it is not very popular to discuss because people immediately conclude that you are opposed to reform and that you are for corruption. I am saying that when you reform, you should not change the rules of the game and put out of business the minority parties and poor people who just got into the system. You see what is happening? They said to us, "The reason why you've been discriminated against is because you don't have an education and because you are working out of the system. It's not because you are black. You need to get an education; you need to get into the system." So we did it; some three thousand of us black elected officials listened to that, and we learned the rules of the game, and we got into the system, and now the rules are being changed.[57]

Furthermore, Dymally asserts that "the rules of the game are changing because black politics is now the cutting edge of the Civil Rights Movement;" he sees in the increasing attacks in this post-Watergate era a deliberate offensive against aspiring Black politicians, under the convenient guise of reform. "It's no longer popular to be anti-black," he observes, "but it's very popular to be anti-corruption."

That the "purity" of reform movements often serves as a disguise for repression is born out again and again in the history of this nation and of the world. The evidence mounts that the same pattern prevails in this latest of movements, and, as is too often the case, Blacks are once again the victims.

Carlton Goodlett, president of the National Newspaper Publishers Association, has challenged Black politicians to be "the vanguard statesmen rallying this country, which Watergate moved precipitously close to constitutional fascism, toward a politico-economic system which controls materialistic forces in the use of the political process to serve the masses of the people."[58] They cannot do that if they continue to be defined falsely as part of the corruption, and if excessive restrictions are imposed on their service to the people.

Religious Community

"The contemporary church is so often a weak, ineffectual voice with an uncertain sound. It is so often the arch-supporter of the status quo. Far from being disturbed by the presence of the Church, the power structure of the average community is consoled by the Church's silent and often vocal sanction of things as they are."[59]

The words of Martin Luther King, Jr., written in his "Letter From A Birmingham Jail " are echoed by more than one Black elected official who finds himself struggling to endure and transcend the harassment that confines him. Asked, in the interview process, what groups had come to their defense, not one answered, "The Church." That is a powerful commentary. It comes under the heading of "sins of omission."

The religious community was a visible and vocal component of the Civil Rights coalition of the Sixties. Without its presence at Selma, the price of the Voting Rights Act would surely have been much higher. Its absence, as the fruits yielded by the Voting Rights Act come under attack, is therefore cause for dismay and perplexity.

The Black church--which has historically produced and supported leaders of the Black community, not excluding from its purview the political arena--continues to be a solidifying force for social change and justice. Indeed, a number of the Black elected officials now being harassed are themselves ministers.

But the representatives of the white religious community who so ardently committed themselves to the cause of human rights a decade ago appear to have gone the way of other white liberals--the way of white society as a whole. Some of the larger denominations and congregations have maintained social action programs; have spoken out on abuses of television, on the urgency of world hunger, on environmental concerns. But there is noticeably absent a concerted follow-up action to assure that the Civil Rights gains of the Sixties are protected and enlarged.

And the truth is that the white religious community as a whole never did commit itself to the struggle of Black people to secure their rightful place in America. At the same time, it remains a fact that the religious community represents one of the most powerful, and wealthiest, institutions in America.

By the use of its economic resources, by the role it plays as a part of the socially elite, by its condoning of the editorial stance of the press, the church becomes a powerful --if unwitting--accomplice in the attacks on Black officials. The power could as well be employed to challenge the racism of local communities and of the nation.

The power of the church may be the only power that can come close to matching the power of the media. The pulpits across the nation weekly have access to a large portion of the same white middle-class that reads the newspaper and watches television. Nor is there any binding interpretation of the doctrine of separation of church and state that precludes church members from supporting Blacks seeking to enter or remain in office.

The religious community in America has surely been challenged sufficiently by the Black community. And integrated denominations ought to be receiving on-going messages from the Black caucuses within their midst that have organized in recent years. The question is whether they will ever respond--whether, specifically, they will respond to this crucial, immediate issue of the survival of Black politics.

Notwithstanding a history of hypocrisy and racism, as the institution whose basic tenets most singularly rest on an aversion to oppression, the church holds forth the greatest hope for providing the means to transform oppressive aspects of this society. The question is whether the words of an uncommon theologian will be made the common characteristic of the institutionalized church. Wrote William Stringfellow at the height of the Civil Rights activity:

> The inherent, invariable, unavoidable, intentional, unrelenting posture of the Church in the world is one of radical protest and profound dissent toward the prevailing status quo of secular society, whatever that may be at any given time...[60]

At this particular time, the status quo means destruction of Black elected officials. The organized church has yet to voice protest or express dissent.

The South

The sixteen southern States and the District of Columbia account for 53 percent of the national Black population, and 57 percent of all Black elected officials.[61] "Consistently larger percentages of Black officials have held city and county offices in the South than in the North, but the reverse has been true of state and education offices." The largest regional differences "are in the 'law' type of office...A much smaller percentage of Black law officials in the South than in the North are judges and magistrates, but larger percentages of such officials in the South than in the North are constables and marshals and justices of the peace..."[62]

Whether these statistical differences account for what appear to be some variation in patterns of harassment in the South is not known. What seems as likely is that both the statistical differences and the pattern variations are attributable to some combination of what might be called Southern characteristics: The distinctive historical character of race relations in the South; the abrupt changes wrought in the South by the Voting Rights Act; the presence of more predominantly Black towns and counties; the residence of more Blacks in rural communities as contrasted to the urban concentration of the North; the relative absence of Northern-style machine politics, and of the adversaries represented by organized crime.

Because of these characteristics, the "system" in the South differs from the "system" in the North. Those differences would seem to call for somewhat different approaches, somewhat different defenses against harassment. The differences cited here should not be construed as being absolute. They are generalizations, and somewhat impressionistic generalizations at that. But the patterns that seem to be more distinctive in the South include the following:

- Overt opposition from blatantly bigoted whites who historically have controlled the power structure;

- Secretive acts of terrorism and intimidation from the Ku Klux Klan or extremist individuals;

- Establishment of informal policies at the level of State government not to provide economic resources to towns having Black mayors;

- Surveillance and tax audits by State units of government;
- Withholding of operating funds from offices to which Blacks are elected;
- The diverting of law offenders from Black justices of the peace to white justices of the peace--who work on a fee basis;
- Refusal to cooperate with Black law enforcement officials;
- Framing Black officials or contriving trumped up charges;
- Exploitation of the "master/servant" relationship to intimidate Black constituents through threat of economic reprisal;
- Exploitation of the political naivete of inexperienced Black voters through the spreading of disparaging rumors and assurances that white officials will best represent their interests;
- The open buying of votes for white candidates for a nominal sum.

Particularly in the more rural areas, the change attempted by the Civil Rights Movement is clearly not yet complete. Black officials express particularly keen frustration at the apathy and opposition from Blacks who continue to yield to the white power structure. They quickly concede the influence of intimidation, however, and argue strongly a critical need for on-going concerted community education and organizing efforts to buttress those who have been able to get inside the system. Until that occurs, they argue, Black officials and constituents alike will continue to be vulnerable to the "divide and conquer" strategies that preclude Black unity.

Again, the differences attributed to the South are not absolute; some of the practices cited here are found in the North as well. The specific examples cited tend to occur more at the local level. At the State level, or in large cities, the character of harassment is less distinctive from the North.

Domestic Issues

A second category of Black officials--in addition to those in the South--who face distinctive forms of harassment is that of Mayors. They are the only Black officials in the position of being the highest authority in a given political jurisdiction. This discussion focuses on the expressions of harassment that Mayors experience by virtue of their unique powers and responsibilities. While the issues identified here do not exclude, by any means, Mayors of small towns, they apply particularly to Mayors of large urban cities who wrestle with many of the most pressing problems that dominate the domestic scene today.

The harassment associated specifically with being a Mayor is related parimarily to three institutions--the Federal government, the media, and the police. Other factors that enter in are the activities of corporations, the state of the economy, and charges of reverse discrimination.

The general plight of central cities was graphically depicted in the Report of the National Advisory Commission on Civil Disorders. The physical and fiscal deterioration has been repeatedly described since then. It has not been halted, let alone reversed. But it has become a weapon for attacking Black mayors who inherit the problems. The Kerner Commission Report called for aggressive governmental action to address the urban problems. A number of Black elected officials are prone to believe that the Federal government instead opted to permit, if not further, the problems. Black Mayors committed to revitalizing central cities have perhaps as often been hindered as helped by national formal and informal policy.

This frustration with the Federal government is unquestionably aggravated by the fact that it is, in effect, the "court of last resort." Carl Stokes characterized his dilemma as Mayor of Cleveland this way:

> As Mayor you are in control of territorial boundaries, but you have nothing with which to sustain yourself. You cannot look to the people in the central city, for they have more needs than they have resources. You cannot look to the people in the suburbs because that is why they are out there. You cannot look to the State, because the legislature is controlled by a suburban-rural coalition. The central-city representatives in the legislature are a minority group, whether they are black or white... The only recourse is to look to the federal government, not just for resources to pay the operating costs of government, but in order to enforce the things that mean life or death to your city. That government is the only one that can reach the suburbs, make them part of a health or transportation or air-and-water-pollution control system, make them help support the city. The federal

> government is the only source that can provide the money while providing protection against a complete take over of those systems by suburban people, with their built-in hostility toward the central city.[63]

The Federal government is seen by some officials as an overt instigator of harassment. They characterize revenue sharing as a strategy for "dealing Black people out"; they view the flow of Federal funds through State, county and regional bodies as a tactic for keeping power in the hands of whites. More often, the Federal government is charged with being a covert accomplice in a conspiracy to make Black Mayors fail, with participating through "benign neglect" in the death of cities.

The advent of regional government, the annexations of white-populated suburbs, and the moving of large industries out of cities into small towns combine with Federal apathy to restrict the votes, the power and the money available to Black officials. The pattern of corporate movement, particularly, comes under increasing suspicion. One Black official describes it as the "planned strategic abandonment of cities," the motives being evasion of affirmative action programs and Black political control--the consequences being the leaving of old cities to Blacks, with no economic base, no resources or power to provide services, higher unemployment rates, and a greater incidence of crime.

Black Mayors are then attacked because these problems exist, as if their administrations created them--and ought to be able to solve them. The issue of crime seems to be the most handy and most prevalent of the issues used for harassing Black Mayors. Nearly every Black Mayor experiences the "law and order" sentiment being expressed through the adverse publicity the city receives on the subject of crime.

Typically accompanying this issue is excessive focus on relations between the Mayor and the city police department. In fact, tension between Black Mayors and police departments is often very real, a not surprising circumstance given the historical hostility of the police toward the Black community. Black Mayors, on the other hand, invariably assign high priority to bringing about change in the police department, placing a strong emphasis on affirmative action.

The already unequal power relations--the "abrasive relationship," as the Kerner Commission termed it, "between the police and minority communities"--is made more so, however, when the media side with the police. The mass media are prone to project Black-governed cities as dens of crime, in effect declaring cities "unsafe", characterizing Black officials as sympathetic to criminals, and thereby frightening whites into deserting the city. Black officers appointed or promoted by the Mayor are often presented to the public via the media as incompetent or, at best, undeserving. Meanwhile, the media continue to editorialize in a manner supportive of white business interests and the status quo, never exploring or exposing the power relations that give rise to the poverty and problems of the city.

Reflecting on some of these dynamics, one Black official has warned of a "military dictatorship rising in our cities as a result of corrupt, racist and largely white police departments..."

Elaborating on the same theme, Carl Stokes wrote of his experiences:

> Police have an amazing political power, a power that has mushroomed in the last few years with the advent of the big-city crime scare. The mental attitude on the part of the people that gives the police that power is reminiscent of the cold war attitudes of the American public in the early 1950's, when a politician could be ruined if he got stuck with the label "soft on communism." I think today's fear of crime, which is also a thinly disguised fear of black people, is very like that older fear of the menace of internal communism. The police today are able to exploit that fear of crime into public support of themselves as an institution, even when, as in Cleveland, the very things they are trying to perpetuate are the things that keep them from being able to effectively attack crime. Fear is not subject to rational discourse, so legitimate issues of reform can be quickly confused and discredited with an emotionally charged rhetoric of danger.
>
> All I ever asked of the police was that they enforce the law. I wanted it enforced evenly, fairly, vigorously, and with some understanding of the society we have come to live in. I wanted the hand to come down on all who were doing wrong, even were it someone close to me...
>
> I was so concerned with fairness and even-handedness from the police because I knew that law and order was the most sensitive issue for the first big-city mayor. Even though the overwhelming majority of crimes were committed against black people, and were allowed to go almost uninvestigated because the white police had long ago decided to vigorously enforce the law only when the victims

> of crime were white, the white majority was afraid I was going to let all those blacks take up guns and run around killing white people.[64]

It seems reasonable to expect that many of the problems facing Black Mayors--and other Black elected officials as well--will persist for some time to come. The intensity of the problems, however, and the capacity for Black officials to combat them, are not static conditions. Fluctuation in the conditions would seem to be attributable--more than any other single factor--to the state of the economy. Predicted Conyers and Wallace, on the basis of their study of Black elected officials:

> We expect that developments sustaining the present political gains of the Black community will continue, albeit at changing levels of intensity, for some years to come. But catastrophe can alter any continuity, and economic depression is one imaginable catastrophe.
>
> In the event of a new economic depression (or any sharp economic change) some White Americans will surely intensify efforts to impose a relative status loss on Black Americans (in order not to experience a relative status loss themselves). And for their part, Black Americans will try harder to move closer to equality with Whites through a relative status gain. Depending on the depth, duration, and quality of economic depression, these two tendencies will come into more or less sharp and widespread conflict. The durability of whatever gains the nation makes toward a genuine democracy would be most severely threatened in such an emergency.

They argue, though, that "...government now exerts greater control over employment practices and other determinants of level of living than it has in the past. For this compelling reason, Blacks in government constitute a new and powerful defense of the Black community against such 'extraordinary' threats, as they will against more 'normal' ones."[65]

What the authors of this passage don't acknowledge is that Blacks in government themselves constitute a considerable threat and thereby invite attack. There may well be a direct relationship between the harassment of Black officials and the condition of the economy the past few years.

This, in turn, would seem to be directly related to the growing charges of reverse discrimination--particularly the lawsuits against and Grand Jury investigations of Black Mayors who have the power to implement affirmative action programs. The extending of equal opportunity to Blacks translates--for many whites--as deprivation of their own opportunities. The psychological reaction of individuals then is transformed into a platform and a vehicle for whites in power to use in order to protect their status and avoid losses.

The interplay of all these factors makes the future of cities and the future of Black political power quite uncertain. Black officials themselves convey this uncertainty, as Conyers and Wallace also noted:

> Clearly, Black elected officials wanted to improve the lot of Black Americans generally, and still more generally, to strengthen American democracy for all minorities; the increased political participation that they sought was designed to strengthen their hands to this end. But the same Black officials also knew that American cities were threatened by the majority-White exodus of population and finances, followed by efforts to reduce the political power of the remaining Black and minority-White inhabitants. Thus the future that these Black officials foresaw seems reducible to the still unanswered question of whether political power wielded by Blacks and other minorities in the cities can grow quickly enough to catch and reverse the urban exodus of economic and political power, forestall any intensification of racist reaction, and thus reconstruct the cities and, hopefully, the nation as well.[66]

International Issues

Black politics must be viewed not only as a new and increasing force in domestic affairs, but as a factor in international affairs as well. Accordingly, consideration must be given to the relationship between harassment of Black elected officials and international power configurations. Specifically, the status of African and other Third World nations comes into play, and with that comes issues of world-wide energy sources and distributions of economic resources.

The complexity of these issues defies all but passing reference in this report. The discussion is therefore largely restricted to simply presenting certain observations made by others which, placed in juxtaposition, make a statement about relationships of various groups and their respective interests. The statement constitutes no definitive conclusion about motives for attacking Black officials. But it does provide content for reflection.

Corporate interests:

> All the factors that figure importantly in making South Africa attractive to U. S. business--super high profits, low wages, suitability to capital intensity, modern infrastructure, presumed "political stability", appreciation on the part of the host ruling elite, congenial counterparts among the local executives, and perhaps the climate and the availability of cheap personal servants--these all derive from the present social and economic system of oppression. They all argue against fundamental change being in the interest of American business.
>
> ...They have no solid business interest in being a driving force for change there. Of course, if and when the rest of the continent demands that they make a choice, or when the external pressures amount to the point where the South African system begins to crack, then these businesses will have an interest in having identified, or attempting then to identify, with the forces making for a new order. Even then, their overriding interest will be to make the transition period as short as possible. Until then, their fundamental interests are on the side of the system as presently constituted in terms of its general characteristics continuing to function.
>
> (Among the U. S. business firms in South Africa are Gulf and Western Industries, Goodyear Tire and Rubber Company, U. S. Steel Corporation, Newmont Mining, Utah Mining, Flour Carbide, Union Carbide, International Harvester, Ford Motor Company, IBM, Texaco, Standard Oil, Mobil Oil, Sperry Rand Corporation, First National City Bank, Chase Manhattan Bank, Chrysler Corporation, General Motors Corporation, Exxon Corporation, and General Electric Company).[67]

National interests:

> It is in the national interests of the United States that...a revolution--(the exchange of power on a massive scale)--occur, in view of the fact that at least Afro-Americans are aroused about the issues involved, and that South Africa must be placed into the larger context of revolution on the whole of the African continent. If America finds it impossible to embrace revolution in South Africa, it will thereby place itself beyond the fruits of, and in direct opposition to, revolution in the

> relations of the whole continent to America, and the Western World of market and corporate dominated economics. Even the corporations may have a stake here.
>
> If it is in the national interest for human rights to come to South Africa, but it is not in the interests of the corporations until too late in the process, then it behooves America to remove the vested interests the corporations (and the banks who loan so heavily to South Africa) are building up in the status quo...[68]

Trilateral Commission interests:

> As has been widely reported, President Carter filled all of his top ten international policy positions from a single private group, a foreign policy consortium called the Trilateral Commission. The Commission was founded in 1973 by David Rockefeller and others to encourage the industrial societies to work together more effectively in guiding the world economy and repelling or moderating the challenges of the poor nations.
>
> ...The American people are...left with a collection of new/old faces masking a world model--a model under increasing worldwide challenge. That model reflects the groups and forces behind the Trilateral Commission--notably multinational corporations. The pattern of domination is part the active collaboration of the self-interested and part the tacit, even unwitting, cooperation of people sharing the same values and perceptions about what constitutes a "natural" order of progress.
>
> But is there a natural order that some, mostly Western and White, people should be rich and most, and mostly Third World and nonwhite, people should be poor? Or are there historical processes guiding world history that were created by some people, but can be changed by others? Such questions will not be raised by the Trilateral winners, who have neither incentive, time, nor intellectual tools to do so. This leaves it to the conscience of other individuals. What is required is the courage to apply creativity and ethical norms to every level and kind of political and economic discussions and decision making.
>
> Until then, bureaucratic, economic and personal self-interest will mesh comfortably to blur and then disintegrate ethical impulses...[69]

Black political interests:

> ...We have opened a new "front", one that many shy from. It is a front that is clearly related to every aspect of the black community. The businessman is not really a large businessman if he does not think internationally, the man on the street... is victimized by crime because United States foreign policy has subsidized growth of poppy growing and trade in Turkey, Thailand and other areas. In short, the black political interest is more than domestic welfare or local poverty programs, it is a total interest. The problem has been that the "national interest" (which is no more than a combination and mix of varied interests) has, in its mix, excluded any black interest. What is now developing in a clear and dramatic fashion is the intrusion and assertion into the national interest mix of a total black political interest. For the first time, in a political manner, blacks are staking out a claim to a sphere of interest. The staking out process has begun to an extent, but it will be a long, arduous and bitter one.
>
> The goal is a redefinition of the national interest and many will not accept that without struggle. However, black entrance into foreign policy is an absolute necessity because only through a whole political approach may a whole politics develop. Emerging Africa will...provide the motivation and rationale for the emergence of a missing link in black American politics and a symbol of the increasing sophistication of those politics.
>
> ...No other area on earth offers Blacks the unique combination of historical ties, potential physical wealth and emerging nationalistic leadership. Substantive politics and economics stand to make the phrase "African homeland" a phrase both spiritual and tangible to American blacks.[70]

The profiling of the various interests involved would not be complete without reference to the potential role of the mass media in the reconciling of conflicting interests. Certainly the media coverage of Ambassador Andrew Young has raised many questions in the minds of Black officials as to the treatment their increasing participation in international affairs will be accorded. No less credible an organization than UNESCO has been mandated to evaluate the issue of international information flow, and preliminary reports emanating from their deliberations sound all too familiar--with Third World nations voicing the same complaints as

American Black officials of distorted and manipulated news and little coverage of positive activities, and journalists representing developed nations rejecting their charges and resorting to the defense of "freedom of information."

The stance of the media, and the energy and economic policies developed by the Federal government over the next few years, are sure to define in large measure the obstacles that lie ahead for Black politics--both domestically and internationally.

Whatever the obstacles, as long as there is an institution of Black politics, it is assured that international issues will constitute an integral part of its agenda. That this is so is dictated by the fact that Black elected officials are given to defining the issues not just in economic terms, but in human terms as well. One of the officials, Lt. Governor Mervyn Dymally, expresses that perspective this way:

> The longer we persist, the more apparent it becomes that those of us engaged in this struggle play not only a central role, but perhaps the crucial determining role in world-wide human liberation. The shifting and realigning of world powers as Third World nations assume their rightful position in international affairs--however painful it may be for the reluctant white nations that have been dominant for so long--must ultimately mean the liberation of the peoples of those white nations as well: liberation from the burden of arrogance, the notion of superiority, the crimes of racism and repression.
>
> It is, in the final analysis, in the vested interest of America to facilitate this new world order. And for that, America needs us--the descendants of her slaves...[71]

Conspiracy

A conclusion that conspiracy is involved in the harassment of Black elected officials is unavoidable. Conspiracy is attested to by the fact that in the preceding discussions of issues, one source of harassment could hardly even be described without reference to at least one other source, which is to say that different agencies and institutions overlap, interlock, cooperate, consult, communicate--conspire. The circular interplay encompasses elements of the intelligence community, the business community, the mass media, the public, and Federal, State and local governments.

Conspiracy to eliminate Black elected officials seems more probable when viewed in the context of the historical stance of this country toward Blacks. As Reginald Gilliam puts it,

> ...Extermination, more commonly termed genocide, or the systematic destruction and erosion of black people in the United States, is possible and indeed is operational in methods less dramatic than boxcars and gas ovens; namely through the impact and effect of organized crime, unemployment, prisons, housing conditions, miseducation, and so on. This statement is not made emotionally, or to support those who accuse blacks of "collective paranoia." Many extremely sophisticated blacks have clearly analyzed the possibilities involved in white reactions to black political movements that threaten the status quo. The Samuel Yette classic, The Choice, is the most contemporary written thesis on the capacity and capability of white America to engage in systematic destruction of a black labor force that is no longer required and has become too expensive to be subsidized. In terms of politics, the black politician's role looms tremendously important as, once again, he is or should be aware at every stage of this potential threat.[72]

The "stages of this potential threat" began with slavery, which was a conspiracy. Post-Reconstruction was a conspiracy. The labeling of civil rights organizations as Communist fronts was a conspiracy. The annihilation of Black militants in the Sixties was a conspiracy. The exploitation of the Black electorate and the targeting of Black human rights workers and politicians during Watergate was a conspiracy. Black analysts point, as other possible symptoms of conspiracy, to the Tuskegee syphilis experiments, birth control programs, requirements of sterilization in order to receive public assistance, the passage of "preventive detention" laws, the "fishing expeditions" of Grand Juries, the genetic theories of social scientists. Questions are raised as to whether urban renewal programs were designed to break up stable communities that offered potential for political organizing, or whether that was an innocent by-product. The suspicion extends to the real reason for the dismantling of the poverty and citizen participation programs.

What is one to think about a documented national pattern of harassment of Black elected officials?

Georgia State Representative Hosea Williams attributes the source of the concerted attacks to the corporate power of the nation and its influence at top levels of the Federal government. He argues that racism is a smoke screen; that it is a surface issue used as a cover-up. The real impetus, he says, is the economic configuration that leads to attacks on Black officials under the orchestration of the corporate structure.

A Black California attorney concurs: "The most devastating conspiracy is the covert arrangement between corporate enterprise and incumbent white politicians. This conspiracy is designed to keep 'American capitalism' (as we know it) entrenched and untainted by 'social change.'"

State Representative Henrietta Canty says: "It is my firm conviction that all of the harassment that is occurring--whether the avenue is that of the media, or some other means--is being done under the auspices of the Federal government."

Concludes Congressman William Clay:

> ...An organized effort is now in effect to undermine or destroy black leadership at every level and at all cost. This policy is articulated and executed through intensive harassment by the press and the government, through intimidation, smears, criminal accusation and investigation.
>
> The perpetrators of this savage scheme appear to be a combination of governmental officials, certain elements of the media and many influential persons in the political life of the nation...
>
> ...I think that somebody has agreed with other elements in this society that black leaders who speak out against activities of this government are going to be destroyed. I think that this effort was preceded by a plan that said we will destroy them through the ballots. We will go into the communities and we will discredit them in our newspapers and then we will run candidates that we can control or influence. This has not worked, so I think the plan and the strategy from one end of this country to the other has been changed. Seeing they cannot defeat us at the polls, they have to do the next best thing. They either have to put us in jail, or make the positions we hold so unattractive and so expensive that we will voluntarily get out.
>
> ...This must be analyzed in national proportion and viewed exactly for what it is--a conspiracy

> to undermine, emasculate, humiliate, jail and destroy those blacks who would dare challenge an archaic, repressive, racist society.

Congresswoman Yvonne Brathwaite Burke has referred to "what is looking more and more like a conspiracy between certain Federal agencies and some elements of the media to undermine the integrity, and ultimately the effectiveness, of black leaders." So, too, have numerous other Black elected officials, many of them cited in the cases presented in this report.

Words that Chuck Stone, Black journalist and former administrative assistant to Congressman Adam Clayton Powell, wrote nearly ten years ago remain relevant:

> The black politician walks on eggs throughout his whole career and can never pause to relax in the comforting security of permanent success. Some white politicians are untouchable. No black politicians are.
>
> If a black politician becomes too powerful--i.e., exercises whatever power flows from the perquisites of offices--he is regarded as a threat to the white political establishment, unless, of course, he can be contained and in turn, accepts containment...
>
> To pursue the acquisition of power is American in the most noble tradition of American politics. For a black man to pursue political power and then exercise it has not been universally accepted.[73]

Today, the observation must be amended to read: The pursuit and exercise of political power by Black men and women is being conspiratorially rejected.

1/ Note: Quotes from Black elected officials cited in this section of the report, unless other sources are indicated, are from interviews conducted with the respective officials in the course of this study.

2/ Carl B. Stokes, Promises of Power: A Political Autobiography (Simon and Schuster: New York), 1973.

3/ George L. Brown, Keynote Address at the National Association of Human Rights Workers Annual Conference, Portland, Oregon, October 1975.

4/ Carl Stokes, op. cit.

5/ Ben Bagdikian in The Media and the Cities, Charles U. Daly, ed., The University of Chicago Center for Policy Study (University of Chicago: Chicago), 1968.

6/ Alvin F. Poussaint, "The White Press Distorts News," New York Times, 1967, cited in Chuck Stone, Black Political Power in America (Delta Publishing Co.: New York), 1968.

7/ Carl Stokes, op. cit.

8/ Report of the National Advisory Commission on Civil Disorders (Bantam Books: New York), 1968.

9/ Sacramento Observer, "Examining Equal Opportunity in Broadcasting," August 19-25, 1976.

10/ Charles H. King, Jr., "Toward The Urban Future...," a publication of the Urban Crisis Center, Atlanta, Georgia.

11/ Charles U. Daly, ed., The Media and the Cities, The University of Chicago Center for Policy Study (University of Chicago: Chicago), 1968.

12/ Ibid.

13/ Lerone Bennett, Jr., Ibid.

14/ Remarks by Yvonne Burke at the 19th Annual S.C.L.C. Convention, printed in "Politics and Economics '76," S.C.L.C. West, September 1976.

15/ Nat Hentoff, "Are There Any Defenses Against A Free, Irresponsible Press?" Social Policy, May/June 1976.

16/ Georgia Anne Geyer, "The Military vs. the Media," Sacramento Bee, April 21, 1977.

17/ Los Angeles Times Editorial, "Mishandling an Indiscretion," Sacramento Bee, September 15, 1976.

18/ Sun Reporter Editorials, "Stop Persecuting Lieutenant Governor Dymally," April 3, 1976.

19/ Cited in James D. Williams, "The Black Press and The First Amendment," National Urban League, 1976.

20/ Letters to the Editor, Sacramento Bee, September 15, 1976.

21/ Tom Wicker, "A Modern Inquisition," Sacramento Bee, January 6, 1977.

22/ Carl Stokes, op. cit.

23/ Jet Magazine, "Citizens Buck Chicago Police Force Spy Tactics," January 27, 1977.

24/ The Birmingham News, "Peace Agency Spied, Employees Say: Maintained Secret Files," May 16, 1976.

25/ William Strickland, "Watergate and The Restoration of Black Struggle," Black World-View, The Institute of the Black World, November 1973.

26/ Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities, Senator Frank Church, Chairman, Final Report: Intelligence Activities and the Rights of Americans, April 1976.

27/ Roger Rapoport, "Meet America's Meanest Dirty Trickster," Mother Jones, April 1977.

28/ Mervyn M. Dymally, "The Praxis, Potential, and Prognosis of Liberation Politics," Speech presented March 18, 1977 to the Third Annual J. Alfred Cannon Research Series Conference, Atlanta, Georgia.

29/ Jason Berry, "The IRS Bullies the New South," Nation Magazine, March 6, 1976.

30/ A.C.L.U. brief filed March 25, 1975 in U. S. District Court, District of Columbia, on behalf of Walter D. Teague, III and the Indochina Solidarity Committee.

31/ Jason Berry, "'Intelligence' Abuses by the IRS," Nation Magazine, January 8, 1977.

32/ Louise Brown, "Big Brotherhood at IRS," The Progressive, March 1976.

33/ Ibid.

34/ Jason Berry, Nation Magazine, January 8, 1977.

35/ Norman Sklarewitz, "The Story of O," California Magazine, April 1977.

36/ Carl Stokes, op. cit.

37/ Remarks by Congressman Walter Fauntroy at the 19th Annual S.C.L.C. Convention, printed in "Politics and Economics '76,' S.C.L.C. West, September 1976.

38/ Coretta Scott King, My Life With Martin Luther King, Jr., (Holt, Rinehart and Winston: New York), 1969.

39/ Lerone Bennett, Jr., in The Media and the Cities, op. cit.

40/ Nathan Glazer, Affirmative Discrimination: Ethnic Inequality and Public Policy (Basic Books: New York), 1975.

41/ Alexander Bloom, "Sounding a Liberal Retreat," Harvard Business School Journal, January 1977.

42/ Carl Rowan, "Black Officials Get A Lecture," San Francisco Examiner, January 10, 1977.

43/ William L. Strickland, "The Government vs. The Black Movement," Encore Magazine, June 1976.

44/ Several of these techniques are identified by Councilmember Joseph Coleman in "Where Is the Black Leadership?" Philadelphia Inquirer, January 13, 1977.

45/ Trevor L. Chandler, "A Conversation With Mervyn M. Dymally, Lieutenant Governor, State of California," Office of Minority Affairs, University of Washington, Seattle, Washington, 1975.

46/ Martin Luther King, Jr., Where Do We Go From Here--Chaos or Community? (Harper & Row: Boston), 1967.

47/ William Strickland, "Watergate and the Restoration of Black Struggle," Black World-View, Institute of the Black World, November 1973.

48/ James Baldwin, "The High Road to Destiny," in Martin Luther King, Jr.: A Profile, C. Eric Lincoln, ed. (Hill and Wang: New York), 1970.

49/ Robert W. Terry, For Whites Only (Eerdmans Publishing Co.: Grand Rapids, Michigan), 1970.

50/ Robert Crain, The Politics of School Desegregation, 1968, cited by Thomas R. Dye in Understanding Public Policy (Prentice-Hall: Englewood Cliffs, New Jersey), 1975.

51/ James E. Conyers and Walter L. Wallace, Black Elected Officials: A Study of Black Americans Holding Governmental Office (Russell Sage Foundation: New York), 1976.

52/ Carl Stokes, op. cit.

53/ Paulo Freire, Pedagogy of the Oppressed (Seabury Press: New York), 1970.

54/ William Greider, "Crooked Politician Endures," *Forum*, *Sacramento Bee*, January 23, 1977.

55/ Judith Nies, "On the Power That Corrupts," *The Progressive*, December 1976.

56/ Irving Kristol, "Post-Watergate Morality: Too Good for Our Own Good?" *New York Times Magazine*, November 14, 1976.

57/ Trevor L. Chandler, op. cit.

58/ Carlton B. Goodlett, "Needed: A Black Ideology and Agenda," *Journal of Intergroup Relations*, July 1975.

59/ Martin Luther King, Jr., "A Letter from the Birmingham Jail," distributed by the Martin Luther King, Jr. Center for Social Change, Atlanta, Georgia.

60/ William Stringfellow, *Dissenter In A Great Society*, (Abingdon Press: Nashville), 1966.

61/ Joint Center for Political Studies, *National Roster of Black Elected Officials*, 1976.

62/ James E. Conyers and Walter L. Wallace, op. cit.

63/ Carl Stokes, op. cit.

64/ Ibid.

65/ James E. Conyers and Walter L. Wallace, op. cit.

66/ Ibid.

67/ Willard R. Johnson, "Why U. S. Firms *Must* Quit South Africa," *First World* Magazine, March/April 1977.

68/ Ibid.

69/ Guy Gran, "Is Poverty Really Inevitable?" *Sojourners* Magazine, April 1977.

70/ Reginald E. Gilliam, Jr., *Black Political Development: An Advocacy Analysis* (Kennikat Press: New York), 1975.

71/ Mervyn M. Dymally, op. cit.

72/ Reginald Gilliam, Jr., op. cit.

73/ Chuck Stone, *Black Political Power in America* (Delta Publishing Co.: New York), 1968.

III. TOWARD RESOLUTION

As noted in the discussion of "The Process," the intent has not been for this report to be the final definitive statement on the issue of harassment of Black elected officials. Rather, it is hoped that the individuals and organizational representatives considering the report will join in a dialogue on the issue, not only formulating recommendations for action, but implementing them as well. The suggestions outlined here are therefore neither exhaustive nor voluminous. They are offered as stimuli for thought, as pinpoints of key elements in the harassment, and as initial guidelines for action.

Federal Government

Clearly, much of the responsibility for the harassment lies with the Federal government. A large part of the responsibility for the defense of Black elected officials must therefore rest there as well. Some of the more blatant tactics of harassment practiced in recent years have presumably been arrested, if not abolished. But other tactics and contributing conditions and circumstances continue to flourish. The spectrum of issues related to harassment is wide-ranging. The following actions are among those demanding consideration:

- The establishment of a special independent unit to investigate conspiracy against Black elected officials and to respond to new cases of harassment.
- Comprehensive analysis of the impact of concentration of economic power, including particularly the publishing industry and the petroleum industry.
- Requiring of public disclosure of financial interests of newspaper corporations.
- Aggressive movement toward full employment in recognition of the high unemployment rate as an impediment to Black political development.
- Intense involvement of Black representatives in the development and implementation of long-range energy policies.
- A review of Federal urban policies in the context of harassment of Black officials, particularly the policy impact on Black Mayors. Such a review should include examination of revenue sharing, allocation formulas, state flow-through, and regional review structures, as well as consideration of penalties for businesses that

exercise fiscal power in a manner punitive toward the residents and officials of central cities.

- Investigation of the tactics of Crime Strike Forces and of the convening of Federal Grand Juries for purposes of harassment.
- Reform of the Grand Jury system to curb abuses by prosecutors and provide more protection for witnesses.
- Present and future investigations of the IRS audit processes and selection criteria--such as hearings being conducted by the Ways and Means Oversight Committee and investigations by the General Accounting Office of audits of Southern civil rights activists--should focus particularly on discriminatory practices toward and harassment of Black elected officials.
- Investigation of the use to which intelligence information illegally compiled during the past fifteen years on civil rights activists and Black elected officials is now being put.
- Provisions of penalties for IRS or other agents of government who engage in politically or ideologically motivated audits and investigations.
- Provision for reimbursement of legal fees and court costs to citizens against whom actions are falsely brought as a result of harassment.
- Implementation and enforcement of strong affirmative action programs in intelligence and law enforcement agencies.
- Enforcement of anti-discrimination and equal opportunity laws in the awarding of grants to members of the public broadcast media.
- The provision of greater enforcement powers to secure compliance with the Voting Rights Act; the provision of more Federal examiners and observers where minority voting rights continue to be threatened; and consideration of alternative registration and voting procedures that would minimize the threat of economic reprisal.

- Consideration of modification of tax restrictions on private foundations that have an adverse impact on support of nonpartisan political development, or alternatively, establishment of a Federal program to enhance Black political development, much as programs are provided to enhance employment and educational development.

- Greater government regulation of American corporate investments in Africa, particularly South Africa, with opposition to the regulations being met by enforcement by the government, rather than being absorbed by Black officials.

Perhaps as much as anything else, the Federal impact on harassment of Black elected officials will be in the tone that is set and the public mood that is shaped nationally by the Federal government's position on civil rights enforcement. The appointment of Black officials--notwithstanding false charges that may have been raised against them; full support of the Equal Employment Opportunity Commission (EEOC), the U. S. Commission on Civil Rights, and equal opportunity in housing and education; and a firm stance against the encroachment of charges of "reverse discrimination"--these are actions that will determine in large measure the public context that allows or precludes harassment of Black elected officials.

Black Elected Officials

Black elected officials might anticipate that as their numbers increase, so, too, will the competition, maneuvering and hostilities that tend to divide. Some Black officials, in order to avoid opposition, may elect to adopt the standards of conduct of white officials, thus compounding the difficulties of those who seek to affirm their necessary roles as Black representatives. Others may respond to the imposed double standard, to the requirements of having to perform better than whites in order to be credible. Still others may make the mistake of apologizing for or denying special service to Black constituencies, even though white officials typically give special services to white constituencies without penalty. The avoidance of all of these pitfalls constitutes an immensely skillful balancing act. The following suggestions--some of which are quite obvious--represent some factors to be considered. The most important consideration is that they not be considered in isolation, but in the context of relationships with one another and with constituencies.

- Thorough familiarization with governmental regulations such as those of the IRS, so that such regulations can less easily be used as a means of harassment.

- Observance of sound fiscal practices in the handling of public, business and personal funds.

- Maximizing of economic independence and self-sufficiency.

- In addition to responding to constituent complaints and requests, initiating educational programs on the processes of the system and holding district conferences to report on activities and to receive suggestions and reactions from constituents.

- Stressing of the need for on-going organized community activity and support on key issues as a complement to legislative activity; avoidance of dichotomizing these two different approaches to social change, or the replacing of one with the other.

- Careful scrutiny of staff appointments and insistence that the top-ranking executive--governor, city manager, or whomever--monitor the internal staff to preclude the harassment that originates from within the local, State or Federal bureaucratic structure.

- Making timely appearances at press conferences, with consideration for press deadlines.

- If feasible, employment of a professional press secretary--one who will be considerate of and responsive to reporters, and who is, as well, perceptive of media bias and able to firmly and constantly point out mistakes or misrepresentation of facts.

- Monitoring of the publicity received, either through a clipping service, or through the services of college interns if the cost of a clipping service is prohibitive.

- Establishment of relationships with reporters of good will, and with local representatives of groups such as the National Association of Black Journalists and the National Newspaper Publishers Association.

- Submitting of complaints of media mistreatment to the New York-based National News Council.
- Speaking out aggressively on the short-comings of the media through speeches, newsletters and other communications to constituents, urging that the media be critically scrutinized and challenged with regard to bias and harassment.
- If necessary, suing the media, if for no other reason than to establish an official record of protest.
- Utilization of the broadcast media through talk shows, community affairs programs, and televised news conferences.
- Utilization of the Black press through the writing of columns to express views, positions and concerns.
- Inclusion in the annual up-dating of the Joint Center for Political Studies National Roster of Black Elected Officials questions pertaining to experiences with harassment, particularly as this relates to the issue of attrition.
- Support of the creation of "Brain Trusts" to develop a network of national issue-oriented constituencies as proposed by Representative Parren Mitchell and other members of the Congressional Black Caucus.
- Formation of additional local and regional associations of minority elected and appointed officials to provide a support group for one another to resist harassment of individual members.
- Formation of a national advocacy organization with paid staff to counter harassment; and/or formation of a national organization to address generally the defamation of not only Black officials but other professional Blacks as well; and--perhaps most critical--development of a legal defense fund either through an existing civil rights organization or a newly established organization.
- Further consideration of the establishment of a national association of Black elected officials such that the institution of Black

politics acquires the mechanisms for defensive action as well as offensive action.

- Coalition and liaison with other national organizations--not only with civil rights groups, but with associations of such professionals as Black educators, law enforcement officers, doctors, ministers, social workers and journalists to enlist their aid in the exposure and prevention of harassment.

When all is said and done, the most important ingredient in the defense against harassment may be "staying power"--the strength and fortitude to endure until the attacks exhaust themselves. Once again, isolation can be the greatest enemy, and support of one another--with constant reference to the long-range goals and objectives of Black politics--is absolutely essential.

Mass Media

Shortcomings of the communications media have been repeatedly identified throughout the report. It seems unlikely that any recommendation would be favorably received by those reporters, editors, publishers and advertisers who willfully and maliciously seek to destroy Black officials. The appeal here, therefore, is to those persons of integrity within the profession who are committed to realizing the highest ideals of journalism. Such persons may fall in one of three groups: Black journalists in the Black media, Black journalists in the white media, and white journalists in the white media. Some of the following suggestions are directed to various of these groupings; others appropriately apply to all journalists.

- Monitoring by reporters of the final edited product to assure accuracy.

- Responsiveness to requests for coverage that come from Black elected officials.

- Using flexible time to sit in on press conferences on minority issues to gain additional proficiency in coverage.

- Raising questions at press conferences that focus discussion on Black issues and concerns rather than just reinforcing white perspectives.

- Honoring of off-the-record requests and responding to friendly overtures from officials to gain their confidence and to increase understanding on both sides.

- Considering, when a Black official complains of bias, that there may be merit in the charges, as well as a valuable opportunity to learn and grow.

- Addressing the issue of biased reporting and harassment of Black officials through professional associations.

- The Black press, which to date has often been the sole voice of the efforts and accomplishments of Black officials, should continue performing, without hesitation, this invaluable function. It should, as well, challenge the white press to perform in an equally conscientious manner.

- Black journalists in the white press, whose positions are often quite precarious, must nevertheless be voices of advocacy within their settings for fair treatment of Black officials, seeking support in relationships with other Black professionals, and resisting the pressure to comply with white-oriented values and standards. Black journalists should be wary of the myth of "objectivity" and not hesitate to speak from a Black perspective just as white journalists invariably, if unconsciously, speak from a white perspective.

- The white press must monitor itself, or expect monitoring from others. Serious self-examination may necessitate calling on outside sources to help identify biases and short-comings, and the consequent negative impact on the community. The white media should not hesitate to seek such help by initiating interaction with local human rights or community relations groups--or with Black officials themselves. Education and consciousness-raising processes will never be adequate in themselves, however. The press cannot report on the diversity of the community until the press _is_ the diversity of the community. Affirmative action--at all levels--must therefore be a top priority.

No argument is being made, no recommendation offered in this report, for external regulation of the press. Only the press itself--and public pressure--can make "freedom of the press" a reality, rather than a mocking rhetorical phrase that serves as a disguised instrument of oppression.

Religious Community

As a voice of conscience, morals and ethics, the organized relgious community is in a unique position to speak out against the impediments to human rights represented by the harassment of Black elected officials. Regrettably, it is a voice less frequently heard now than in the Sixties. That the struggle for human rights is located today largely in the political arena need be no barrier to involvement. Any number of strategies can be adopted that address the issues of human freedom and dignity, without regard to partisan politics. Among them are the following:

- Allocation of resources to further study and investigate the myriad of issues raised in this report.
- Taking a leadership role in community organizing, acting as a force outside the system to support those inside who struggle for constructive change.
- Appealing to the Federal government to act on the recommendations and take the stands advocated in this report.
- Discussing the issues involved in harassment within local congregations.
- Working through local interdenominational alliances to protest unfair treatment of Black officials.
- Participating in a nonpartisan capacity in voter registration and monitoring of election procedures.
- Monitoring the local media, and opposing unfair reporting and editorial practices.
- Similarly, monitoring the practices of local and State law enforcement agencies, prosecutors and Grand Juries.
- Appealing to national religious-affiliated organizations, such as the National Conference of Christians and Jews, to address the issue of harassment.

- Speaking out through denominational newsletters and magazines.

- Including the combatting of harassment in the priorities of social action commissions and divisions such as those maintained by the United Church of Christ, the United Methodist Church and the National Council of Churches.

- Exposing and confronting policies and activities of businesses and corporations that support the destruction of Black officials and militate against human liberation.

The religious community may well represent the one group with the freedom, commitment, resources and flexibility to muster an effective defense against the opposition to Black political development. To fail to play an active role in the defense is ultimately to deny in large measure the most fundamental tenets of all major religions.

Human Rights Workers and Organizations

Given that political participation is, in the 1970's, a major thrust of the Civil Rights Movement, and given the emphasis on Black politics as the vehicle for social change, human rights workers and organizations cannot avoid consideration of the status and effectiveness of Black elected officials. Neither can the Movement be perceived as being entirely "inside the system." The continuing efforts of community organizers, civil rights activists, community relations specialists and compliance officers must go hand-in-hand with the legislative activities of elected Black officials. Established civil rights organizations such as the NAACP, National Urban Coalition, National Urban League, OIC, PUSH and SCLC have a vitally important role to play where this issue is concerned. More than ever, there is an urgent need for resources outside the system--forces to organize, educate and protest--in order to balance and support the thrust of those who have obtained key positions inside the system. Tasks that can appropriately be performed by national civil rights organizations, as well as state and local human relations commissions and staff, include these suggestions:

- Lobbying the Federal government to pursue actions suggested in this report.

- Assisting in the establishment of a national advocacy group for on-going monitoring of harassment--not only of Black elected officials, but appointed public officials and other Black professionals as well--and the creation of a legal defense fund to make available the services of attorneys.

- Monitoring of the affirmative action profiles and investigatory practices of local and State law enforcement agencies, district attorneys and Grand Juries and exposing of practices that constitute "witchhunts."
- Monitoring of the mass media, setting aside a tendency to be intimidated by the press for fear of negative coverage, insisting that the white media accurately portray "history in the making" as white historians are now called upon to accurately portray history as past.
- Challenging the affirmative action profiles of the press, television and radio--noting particularly the racial composition of reporters assigned to City Halls and State Houses.
- Placing representatives of the media and law enforcement on advisory committees.
- Meeting with reporters, broadcasters and editors for a mutual exchange of concerns and information regarding the respective operations of both professions.
- Appealing to the vested interests of advertisers in newspapers to seek unbiased media coverage for the sake of community health and harmony.
- Investigating and confronting the practices of financial institutions with regard to the use of credit ratings, loan approvals, and mortgage foreclosures as instruments of intimidation and reprisal against officials or their constituents.
- Raising the level of community awareness of harassment through workshops and seminars.
- Highlighting in speeches and publications the damage done to the human welfare of entire communities or States by constant unfounded charges against Black elected officials.
- Issuing resolutions and news releases in defense of officials who are harassed.

- Compiling directories of minority elected officials other than Black officials to assist in determining the extent to which other minorities may also be experiencing harassment.

- Contacting minority officials, sharing with them the content of this report and offering to serve as a support group.

- Establishing liaison relations with other local and national organizations such as the National Association of Black Journalists, the National Association of Broadcasters, and the National Newspaper Publishers Association, and other Black professional associations in order to enlist their assistance in combatting harassment.

If civil and human rights are to continue to be advanced, professional human rights workers cannot avoid serving as linkages in a support system to enhance Black political development. The issue of harassment of Black elected officials ought to be an ever-present concern and a priority issue on the agenda of every local and national civil rights or community relations organization.

The Public--White and Black

Whatever various agencies or organizations do to combat harassment of Black elected officials, their effectiveness will depend in large measure on public acceptance or rejection of the harassment. There are many things that concerned individuals can do independently to shape and convey to those in power the public sentiment, and to convey to Black officials understanding of their predicament and appreciation of their efforts. Other actions require a coordinated effort, a working together of many individuals. Particularly is this so in the Black community, which represents the primary base of support of Black officials. The range of needed actions includes the following:

- Being skeptical of what is said or printed by the media, not accepting at face value charges that are made against Black officials.

- Calling radio and television stations, writing letters to newspaper editors, and visiting the publisher to protest unfair coverage, emphasizing the economic interest which subscribers represent.

- Speaking up publicly in defense of those unjustly accused and making yourself known to the official in question as a source of support.

- Working through clubs, fraternities, sororities and civic associations to assert the damage being done to the community and the cause of justice by harassment of Black representatives.

- Being realistic in expectations of Black elected officials; recognizing they cannot alone, in short periods of time, totally transform the system; avoiding making excessive, unreasonable demands; not rejecting them because they are unable to solve immediately problems that have existed for years.

- Staying involved, not assuming that because there is now Black representation that community participation is no longer needed; remaining informed and alert and active, so that officials are not left to perform the tasks of social change alone; continuing research and organizing in areas still characterized by inequity.

- Respecting the inevitability of compromise and negotiation--which is politics--and allowing officials space to function without undue criticism if their positions seem not radical enough.

- Recognizing that the job of Black officials is far more complicated in that often they represent a mixed constituency--white and Black--while white officials often have to serve only white constituents.

- Checking to see where Black officials "came from," rather than writing them off as just part of the "establishment" or penalizing them for doing precisely what the Movement set out to do.

- Examining any tendencies to place more trust in the judgments and advice of white officials than Black officials.

- Becoming knowledgeable of the role of government at all levels and of how governmental processes work so that there is less vulnerability to being misled, and participating actively in governmental affairs.

- Lobbying for enforcement of affirmative action policies and against charges of reverse discrimination.

- Developing methodologies within the community--such as protest action or voting strength--to protect and defend Black elected officials from attack in order to prevent the weakening of Black political strength.

No single issue is more important where the dilemma of Black politics is concerned than the issue of Black unity. As Lt. Governor Brown has reminded us, "Our progress is not in proportion to our preparation; not in proportion to white goodness; but rather in proportion to our own ability --or lack of it--to put together a political organization, a community unity, a sense of togetherness." That this has occurred to some degree is not to say it has occurred to a sufficient degree.

In 1955, following the historic Brown vs. Topeka Board of Education Supreme Court decision, Roy Wilkins spoke of his fear of apathy in the excitement of victory, and of a need for constant vigilance in anticipation of attack. Twenty years later, in 1975, following the election of unprecedented numbers of Black officials, George Brown spoke of the attacks on these same officials, and of a need for constant vigilance "lest we be caught sleeping while our rights are quietly whittled away."

That same year, he was calling for a commission in government to answer the charges against Black officials who were being harassed. The very next year, noted columnist Jack Anderson was calling for a citizens' committee outside of government to investigate corruption of white officials. The very different views, concerns and priorities emphasized by these two statements symbolize the stark difference between Black and white America.

Resolution, if it comes, will come through the conscience of the public, and through the courage and commitment of individual citizens. The answer to the dilemma of Black politics --and the hope of America--is found in the simple and profound words spoken by a young Black girl. She referred to the two Black Lieutenant Governors, but she might have included as well the names of many other advocates of Black politics. She said, "You know how I see this? I see Lt. Governor Dymally and Lt. Governor Brown like two tall trees in a forest, with a lot of bushes around them. And the two tall trees have to face the strong winds of all the storms because they stand up there above the rest." And she said, "My lesson is...it means that we have to stand tall with them..."

POSTSCRIPT

"So Quietly"

by

Leslie Pinckney Hill

News item from The New York Times on the lynching of a Negro at Smithville, Georgia, December 21, 1919: "The train was boarded so quietly...that members of the train crew did not know that the mob had seized the Negro until informed by the prisoner's guard after the train had left the town...A coroner's inquest held immediately returned the verdict that West came to his death at the hands of unidentified men."

So quietly they stole upon their prey
And dragged him out to death, so without flaw
Their black design, that they to whom the law
Gave him in keeping, in the broad, bright day,
Were not aware when he was snatched away;
And when the people, with a shrinking awe,
The horror of that mangled body saw,
"By unknown hands!" was all that they could say.

So, too, my country, stealeth on apace
The soul-blight of a nation. Not with drums
Or trumpet blare is that corruption sown,
But quietly--now in the open face
Of day, now in the dark--and when it comes,
Stern truth will never write, "By hands unknown."